

MINUTES

OF THE

NATURAL RESOURCE COMMISSION

MEETING

MAY 10, 2007

CRYSTAL LAKE COMMUNITY CENTER
CRYSTAL LAKE, IOWA

TABLE OF CONTENTS

Table of Contents	2
Meeting Minutes	1
Call to Order	1
Members Present.....	1
Members Absent	1
Oath of Office For New Commissioners	1
Approve Agenda	1
AGENDA APPROVED	1
Election of Officers.....	1
OFFICERS ELECTED.....	2
Approve Minutes	2
MINUTES APPROVED AS AMENDED.....	2
Director's Remarks	2
Construction Projects	4
Lake Macbride State Park, Johnson County – Public Water Supply Well Construction	5
CONSTRUCTION PROJECT APPROVED.....	5
Bellevue Research Station, Jackson County – Storage Building.....	5
CONSTRUCTION PROJECT APPROVED.....	5
Folsom Lake WMA Access, Mills County – Roadway and Parking Construction.....	6
CONSTRUCTION PROJECT APPROVED.....	6
Green Valley State Park, Union County – HMA Paving.....	6
CONSTRUCTION PROJECT APPROVED.....	6
Bobwhite State Park, Wayne County – HMA Paving	6
CONSTRUCTION PROJECT APPROVED.....	7
Gull Point Lake Patrol Station, Dickinson County – Boat Ramp and Parking Lot Paving.	7
CONSTRUCTION PROJECT APPROVED.....	7
Riverton WMA, Fremont County – Pump Replacement.....	7
CONSTRUCTION PROJECT APPROVED.....	8
Viking Lake State Park, Montgomery County – Replace Concession Building	8
CONSTRUCTION PROJECT APPROVED.....	10
Clear Lake State Park, Cerro Gordo County – Remodel Park Residence Exterior	10
CONSTRUCTION PROJECT APPROVED.....	10
Land Acquisition.....	10

West Okoboji Lake Watershed, Dickinson County -- Richard J. Berglund Trust.....	10
LAND ACQUISITION APPROVED	12
Christopherson Slough, Dickinson County -- Bryan Heebner.....	12
LAND ACQUISITION APPROVED	12
Dewey's Pasture WMA, Palo Alto County -- Marlys Jensen.....	12
LAND ACQUISITION APPROVED	13
Bright's Lake WMA, Worth County – Seymour and Darlene Ferley	13
LAND ACQUISITION APPROVED	13
Heery Woods State Park, Butler County -- Kurth, et.al Donation.....	13
LAND DONATION APPROVED	14
Muskrat Slough Wildlife Management Area, Jones County -- Matthew McQuillen	14
LAND ACQUISITION APPROVED	15
Horseshoe Bend National Wildlife Refuge, Louisa County -- INHF (EMC).....	15
LAND ACQUISITION APPROVED	16
Hanging Rock Wildlife Management Area, Dallas County --INHF (Humiston)The Natural.....	16
LAND ACQUISITION APPROVED	16
McCoy Wildlife Management Area, Boone County – Don Adams, Nancy Ross, and the Estate of Harold Adams	17
LAND ACQUISITION APPROVED	17
Appointment – Bruce Kluver.....	17
Public Participation.....	18
Management Agreement – Perry North Raccoon River Access, Dallas County.....	18
MANAGEMENT AGREEMENT APPROVED	19
Budget Overview and Fiscal Year 2009 Preparation.....	19
INFORMATION ITEM	20
28E Agreement – Hamilton County Conservation Board and Webster City	20
AGREEMENT APPROVED	21
28E Agreement – Wright County Conservation Board	21
AGREEMENT APPROVED	21
Land & Water Conservation Fund – City and County Grants.....	22
GRANTS APPROVED	23
Water Recreation Access Cost-Share Grants for FY08.....	23
GRANTS APPROVED	24
Concession Contract – Lake Manawa State Park	25
CONCESSION CONTRACT APPROVED.....	26
Conservation and Recreation Donations.....	26
DONATIONS APPROVED	28

Help Us Stop Hunger (HUSH) Contract with Food Bank of Iowa.....	28
CONTRACT APPROVED	29
HUSH 2006-2007 Deer Donation Report.....	29
INFORMATION ITEM	30
Final Rule—Chapter 51, Game Management Areas	30
FINAL RULE APPROVED	32
Final Rule—Chapter 52, Wildlife Refuges.....	32
FINAL RULE APPROVED	34
Final Rule—Chapter 95, Game harvest Reporting and Landowner-Tenant Registration.....	35
FINAL RULE APPROVED	37
Final Rule—Chapter 98, Wild Turkey Spring Hunting.....	37
FINAL RULE APPROVED	39
Final Rule—Chapter 99, Wild Turkey Fall Hunting by Residents.....	39
FINAL RULE APPROVED	41
Final Rule—Chapter 107, Rabbit and Squirrel Hunting.....	41
FINAL RULE APPROVED	42
Notice of Intended Action—Chapter 82, Commercial Fishing	42
NOTICE APPROVED	45
Echo Valley Forest Stewardship Plan.....	45
INFORMATION ITEM	46
General Discussion	46
Next Meeting Dates	47
Adjournment	47

MEETING MINUTES

CALL TO ORDER

The meeting of the Natural Resource Commission was called to order by Acting Chairperson, Elizabeth Garst at 8:30 a.m. on Thursday, May 10, 2007 at the Crystal Lake Community Center, Crystal Lake, Iowa.

MEMBERS PRESENT

Elizabeth Garst
Richard (Kim) Francisco
William Bird
Gregory Drees
Janelle Rettig

MEMBERS ABSENT

Carol Kramer
Lennis Moore

Commissioner Garst thanked DNR staff – Jim Wahl, Ken Lonneman, Ben Bergman, Richard Bowman, Mike McGhee, and other staff for their assistance with the tour of the docks at Clear Lake and the dredging operation at Crystal Lake.

OATH OF OFFICE FOR NEW COMMISSIONERS

Director Leopold administered the Oath of Office individually to each of the newly appointed natural resource commissioners, William Bird, Gregory Drees and Janelle Rettig. They were welcomed to the commission.

APPROVE AGENDA

Motion was made by Commissioner Francisco to approve May 10, 2007 NRC agenda. Seconded by Commissioner Bird. Motion carried unanimously.

AGENDA APPROVED

ELECTION OF OFFICERS

The suggestion was made that before next year's election of officers that a discussion takes place on how the election might be done differently. It was noted that in the past, the vice-chairperson moved to become the chair and the secretary moved to become the vice-chairperson. Since there

are varying degrees of time, leadership abilities and desire among the commission members to become an officer, a different approach should be considered.

Motion was made by Commissioner Drees to nominate Liz Garst as Chairperson, Lennis Moore as Vice-chairperson, and Carol Kramer as Secretary of the Natural Resource Commission for the coming year. Seconded by Commissioner Francisco. Motion carried unanimously of those present.

OFFICERS ELECTED

APPROVE MINUTES

It was noted that the second to the motions on page 4 of the minutes was not recorded. The minutes were corrected to show that Commissioner Kramer seconded those motions.

Motion was made by Commissioner Francisco to approve the April 12, 2007 NRC minutes as corrected. Seconded by Commissioner Rettig. Motion carried unanimously by those present.

MINUTES APPROVED AS AMENDED

DIRECTOR'S REMARKS

Director Leopold reported that overall, the DNR enjoyed some successes from the legislative session, although some of our policy bills were left on the calendar for next year.

We made significant strides in new funding, including:

- \$750,000 for Volga River campground development in 2008 and \$750,000 in 2009
- \$100,000 for Lake Delhi dredging
- \$500,000 for Carter Lake improvements in 2008 and \$500,000 in 2009
- \$100,000 for the Mines of Spain visitor center addition
- \$100,000 for a park ranger at Honey Creek
- \$25,000 for Emerald Ash Borer deterrence
- \$75,000 for the transfer of Tier II environmental reporting from Workforce Development to DNR.
- \$470,000 for state parks interpretation and maintenance
- \$360,000 for animal feeding operations technical assistance and enforcement
- \$50,000 for animal feeding operation database
- \$325,000 for ambient air quality monitoring
- \$480,000 for water quantity/water planning (beginning of State Water Plan)
- \$15.5 million for REAP (an increase of \$4.5 million with the credible rumor of possible full funding of REAP next year)

- \$975,000 eliminated from lake restoration in the Environment First fund because of these funds appearing elsewhere

This results in a net increase of \$6,860,000 for natural resources! In addition, important funding that started last year and was carried across this year as “status quo” included:

- \$2.5 million for state park infrastructure (an increase of \$1.5 million with the agreement that the funding will go towards the final payment of Anglers Bay in Dickinson county)
- \$8.6 million for lake restoration (\$200,000 of this for a new low-head dam safety program).
- \$4 million for technical assistance for small communities to comply with new water quality standards
- \$5 million for the Watershed Improvement Review Board (WIRB)

Another important revenue item was water trails are now eligible for the Vision Iowa Community Attraction and Tourism program, which have an ability of \$12 million yearly.

Policy was also advanced, although much remains to be done next year. Among those bills that passed with positive influence on our agency were:

- House File 742 ATV Bill - strengthens illegal riding penalties, improves safety, and enhances electronic registrations.
- House File 740 Regulation of Drugs for Non-captive Wildlife - allows the DNR to regulate drugs that have a biological impact on wildlife, including contraceptives.
- House File 765 - Animal Feeding Operation Code Change Bill - provides that the DNR may issue administrative orders for open feedlot violations - same as for confinement operations.
- House File 773 - Energy Cities - The department shall establish an energy city designation program, with the objective of encouraging cities to develop and implement innovative energy efficiency programs.
- House File 918 - Creates the Governor's Office of Energy Independence, an Iowa Power Fund Board and a Due Diligence Board. The DNR has responsibility for assisting in developing the state energy plan.
- House File 927 - Appropriates money for the Governor's Office of Energy Independence and allows the office to keep 1.5% for administration.
- Senate File 78 Conservation and Recreation Technical Changes (includes cleanup of Hunter Safety timelines; boating safety improvements; misc.)
- Senate File 344 - Toxics in Packaging Bill - adds enforcement authority to 455D.19 (Packaging -heavy metal content) so that the department may issue Notices of Violation, Administrative Orders, and penalties to manufacturers or distributors who are out of compliance with the law.
- Senate File 477 - 75 Special Nonresident Deer Hunting Tags (up from 25)
- Senate File 499 - Underground Storage Tank Bill - grants rulemaking authority to the Environmental Protection Commission to adopt rules consistent with EPA guidelines and the federal Act and other provisions.
- Senate File 485 - Greenhouse Gas Emissions - requires applications for conditional permits for electric power generating facilities, applications for construction permits or

prevention of significant deterioration permits to quantify the potential to emit greenhouse gases due to the proposed project. Establishes a Climate Change Advisory Council which DNR staffs - report due by 1/1/08.

- Senate File 558 - Habitat Stamp Increase for Game Bird Habitat Improvement
- Senate File 564 - Eradication of Russian Boars in Iowa (through the Dangerous/Exotic Animals Bill)
- Senate File 579 - Pharmaceutical Waste - allows the department to use \$225,000 from the solid waste account of the groundwater protection fund for purposes of a one-year pharmaceutical collection and disposal pilot project.
- Senate Resolution 50 - Continuation of Sustainable Funding for Natural Resources Committee

Items the DNR advocated for that are still active and will need further attention next year will include:

- House File 862 Public Hunting on Private Land Access Program
- House File 902 Tax Credits for Conservation Land Donations
- House File 900 Waste Tire Management Program funding
- Senate File 48 3-Year Statute of Limitations on Poaching Crimes
- Senate File 49 .08 BWI and PFDs for Kids Under 13
- Senate File 250 Commercial Fish and Turtles Recodification
- Senate File 310 Civil Damages for Illegally Taking Sportfish and Bobcats
- Senate File 499 Required septic tank inspections at time of transfer of property
- Senate File 544 Energy Code changes

A few other items of interest:

- The “DNR” split bill has been put on hold for now. Staff within the DNR are preparing a more comprehensive assessment of costs and viability of proposal. In addition, many of the concerns which have brought about this discussion are being evaluated and appropriate actions are being discussed to address concerns by DNR employees.
- The “water quality” bill that proposed, among other items, a watershed counselor reporting to the Governor, moving Project 319 program to Iowa Department of Agriculture and Land Stewardship, and a “scientific review board” to review Environmental Protection Commission proceedings was stopped.
- There is much discussion of the sustainable funding commission’s recommendations and forward momentum continues on this important discussion.

The Director also noted that issues involving the Missouri River Coalition and the Missouri River Compact, as well as controlling feral hogs will require further work.

Director Leopold announced that he has named Bill Ehm as the department’s special assistant to the Director on Water Policy Coordinator.

CONSTRUCTION PROJECTS

Linda Hanson, Administrator, Management Services Division, presented the following item.

Bids were opened April 18, 2007 for the following projects:

Lake Macbride State Park, Johnson County – Public Water Supply Well Construction

This project consists of the construction of a public water supply well to service the modern campground, PWSID #5200912, Facility # WL02 and other related work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% REAP Open Spaces Acquisition and Development funds (see Capital Link #138). DNR estimate is \$25,000. Four sets of Plans were issued. Four bids were received.

Brown's Concrete & Backhoe, Inc.	Ely, IA	\$27,541.30
Gingerich Well & Pump Service, L.L.C.	Kalona, IA	\$34,225.00
Greiner Well Service, Inc.	Center Point, IA	\$42,820.50
Aquadrill, Inc.	Swisher, IA	\$44,643.00

Staff recommends award of a contract to Brown's Concrete & Backhoe, Inc., low bidder.

Motion was made by Commissioner Francisco to approve the low bid of Brown's Concrete & Backhoe, Inc. of Ely, Iowa, in the amount of \$27,541.30 for public water supply well construction at Lake Macbride State Park in Johnson County. Seconded by Commissioner Rettig. Motion carried unanimously by those present.

CONSTRUCTION PROJECT APPROVED

Bellevue Research Station, Jackson County – Storage Building

This project consists of the construction of a pole-type storage building, approximately 40' x 30', with overhead doors, concrete slabs and aprons as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% in Fish & Wildlife Trust Non-habitat Stamp funds. DNR estimate is \$35,000 (see Capital Link #22). Eight sets of Plans were issued. Three bids were received.

Tri-State Building Corp.	Bellevue, IA	\$39,635.60
John Sieverding Construction	Bellevue, IA	\$45,460.00
Evergreen Lawn Care & landscape, L.L.C.	Dyersville, IA	\$45,800.00

Staff recommends award of a contract to Tri-State Building Corp., low bidder.

Motion was made by Commissioner Rettig to approve the low bid of Tri-State Building Corp. of Bellevue, Iowa, in the amount of \$39,635.60 for a storage building at Bellevue Research Station in Jackson County. Seconded by Commissioner Francisco. Motion carried unanimously by those present.

CONSTRUCTION PROJECT APPROVED

Folsom Lake WMA Access, Mills County – Roadway and Parking Construction

This project consists of the construction of a PCC paved/crushed stone surfaced roadway, a granular surfaced parking area, and other related work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% in Marine Fuel Tax funds. DNR estimate is \$146,300 (see Capital Link #110). Seven sets of Plans were issued. Three bids were received.

TEK Builders, Inc.	Mount Ayr, IA	\$ 98,899.00
Leazenby Construction, Inc.	Crescent, IA	\$120,336.33
Ten Point Construction Co., Inc.	Denison, IA	\$146,952.00

Staff recommends award of a contract to TEK Builders, Inc., low bidder.

Motion was made by Commissioner Drees to approve the low bid of TEK Builders, Inc. of Mount Ayr, Iowa in the amount of \$98,899.00 for roadway and parking construction at Folsom Lake WMA Access in Mills County. Seconded by Commissioner Francisco. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Green Valley State Park, Union County – HMA Paving

This project consists of the reconstruction of various HMA roadways and other related work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% in Park and Institutional Roads funds. DNR estimate is \$220,300 (see Capital Link #71). Thirteen sets of Plans were issued. Three bids were received.

Blacktop Service Co.	Humboldt, IA	\$229,827.35
Henningsen Const., Inc.	Council Bluffs, IA	\$249,015.58
Grimes Asphalt and Paving Corp.	Grimes, IA	\$260,373.90

Staff recommends award of a contract to Blacktop Service Co., low bidder.

Motion was made by Commissioner Bird to approve the low bid of Blacktop Service Co. of Humboldt, Iowa, in the amount of \$229,827.35 for HMA paving at Green Valley State Park in Union County. Seconded by Commissioner Rettig. Motion carried unanimously by those present.

CONSTRUCTION PROJECT APPROVED

Bobwhite State Park, Wayne County – HMA Paving

This project consists of the reconstruction and HMA paving of existing HMA surfaced roadways, and other related work as required by the Plans and the DNR Construction Inspector.

Project is budgeted 100% in Park and Institutional Roads funds. DNR estimate is \$713,000 (see Capital Link #65). Six sets of Plans were issued. Three bids were received.

Norris Asphalt Paving Co., Inc.	Ottumwa, IA	\$673,719.00
Grimes Asphalt and Paving Corp.	Grimes, IA	\$736,923.48
Henningsen Const., Inc.	Council Bluffs, IA	\$795,567.40

Staff recommends award of a contract to Norris Asphalt Paving Co., Inc., low bidder.

Motion was made by Commissioner Bird to approve the low bid of Morris Asphalt Paving Co., Inc. of Ottumwa, Iowa, in the amount of \$673,719.00 for HMA paving at Bobwhite State Park in Wayne County. Seconded by Commissioner Rettig. Motion carried unanimously by those present.

CONSTRUCTION PROJECT APPROVED

Bids were opened May 8, 2007 for the following projects:

Gull Point Lake Patrol Station, Dickinson County – Boat Ramp and Parking Lot Paving

This project consists of the construction of a boat ramp and paving of the existing granular parking lot and other related work as required by the Plans and the DNR Construction Inspector. Project is budgeted 50% in Marine Fuel Tax and 50% in Coast Guard Boat Safety funds (see Capital Link #115). Eleven sets of Plans were issued. Three bids were received.

Christensen Construction & Design Co.	Estherville, IA	\$61,996.44
Weaver's Inc.	Tipton, IA	\$71,732.95
Eric Berg, dba Berg Construction & Landscaping	Spirit Lake, IA	\$83,883.35

Staff recommends award of a contract to Christensen Construction & Design Co., low bidder.

Motion was made by Commissioner Francisco to approve the low bid of Christensen Construction & Design Co. of Estherville, Iowa, in the amount of \$61,996.44 for a boat ramp and paving at Gull Point Lake Patrol Station in Dickinson County. Seconded by Commissioner Drees. Motion carried unanimously by those present.

CONSTRUCTION PROJECT APPROVED

Riverton WMA, Fremont County – Pump Replacement

This project consists of the replacement of an existing diesel engine-driven pump with a 3-phase, 460 volt, 315 hp electric motor-driven pump with 30,000 gpm capacity including modifications to the existing pumping station and other related work as required by the Plans and the DNR

Construction Inspector. Project is budgeted 100% Fish and Wildlife Trust Non-habitat Stamp funds (see Capital Link #42). Three sets of Plans were requested. Two bids were received.

TEK Builders, Inc.	Mount Ayr, IA	\$209,759.00
Lawrence Buckalew, dba Hamburg Electric	Hamburg, IA	\$216,742.00

Staff recommends award of a contract to TEK Builders, Inc., low bidder.

Motion was made by Commissioner Drees to approve the low bid of TEK Builders, Inc. of Mount Ayr, Iowa, in the amount of \$209,759.00 for pump replacement at Riverton WMA in Fremont County. Seconded by Commissioner Francisco.

Linda Hanson talked briefly about the previous bids for this project that were rejected and the reason for two pumps. Basil Nimry further explained the system at the Riverton area.

Short discussion ensued regarding estimates made by the department with regard to proposed construction projects. Linda Hanson also explained how the department typically adjusts when projects come in over the estimate or changes are made that affect the Capital Plan.

Motion to approve the low bid carried unanimously by those present.

CONSTRUCTION PROJECT APPROVED

Viking Lake State Park, Montgomery County – Replace Concession Building

This project consists of the replacement of the Viking Lake Beach Facility, which had been destroyed by fire, as shown on the drawings. The restaurant is a one story, wood frame building with log-style siding, concrete block accents, metal clad windows, aluminum glass doors as well as metal and wood doors, and metal roofing. The building also includes a small retail area and a bait shop and other related work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% in a Special Appropriation. Twenty sets of Plans were issued. Four bids were received.

Cornerstone Commercial Contractors Inc.	Corning, IA	\$479,212.08
Lewis Contracting Company	Red Oak, IA	\$526,073.52
Glenwood Contracting, Inc.	Glenwood, IA	\$707,594.50
Vieco Development and Construction, Inc.	St. Joseph, MO	\$724,399.97

Staff recommends award of a contract to Cornerstone Commercial Contractors, Inc., low bidder.

Motion was made by Commissioner Bird to approve the low bid of Cornerstone Commercial Contractors Inc. of Corning, Iowa, in the amount of \$479,212.08 to replace the concession building at Viking Lake State Park in Montgomery County. Seconded by Commissioner Francisco.

Commissioner Rettig asked that when preparing to build a new building if the department institutes green building practices and energy efficiency. She requested that this type of information be reflected in the item brief.

Basil Nimry reported that staff does try to implement some environmentally friendly approaches to building but often the cost goes way up in proportion to the budget. He said certain components that give the most “bang for the buck” such as geothermal, environmentally friendly insulation products or radiant heat in the floors are often used. Nimry noted that most of our buildings are seasonal and not used year around so some of the energy saving methods do not apply.

Commissioner Rettig related that she thinks we should be setting an example in our buildings—that concession stands could have natural lighting with larger windows or solar electricity for shower buildings because they usually are near a beach and are wide open. She said some concessions in the state parks are dark dreary buildings that could have more windows in them.

Nimry explained that the attempt was made to use sky light windows in the shower buildings but that failed miserably and cost the department a lot for repair because the steam from people taking showers all day condenses and rots the roof and floor. He said that based on experience, staff opts to match the budget to low maintenance, long term and as friendly looking as possible that fits in the environment.

Linda Hanson added that the engineering staff is developing more expertise in this area and noted that a number of buildings are heated by geothermal. She said staff recognized that we are the model and will continue to do even better in that area.

Commissioner Drees asked if any LEED techniques are associated with the paving projects.

Ken Herring responded that the technology is coming along and staff is starting to look at that. He added that through the education process from our energy bureau, we are in the process of doing that now with Honey Creek. He remarked that we are making strides and the encouragement is welcome.

Kelley Myers explained that at the request of the deputy director, a task force has been formed to look at ways the department can green our process since we cannot just use a LEED building checklist for most of our buildings because they may be seasonal or may be maintenance or storage. She said staff is looking across divisions for the expertise on things like how we orient buildings, how we move people on a site, or erosion potentials, etc.

Director Leopold stated that he is glad to have these types of questions and getting the support and questioning from the commission is helpful. He added that LEED certification is desirable but it is much bigger than just environmental because you get certain points if you have bike closets and showers for your employees. He said the new Wallace Building probably will not be LEED certified because a lot of the things that would make it LEED certified are going to happen in the Capitol annex next door. Leopold said that doesn't mean we can't take pieces and

push it to the limit like super energy efficiency and use life cycle costs of 50 years instead of 30 years, but the LEED certification process is an evolving process.

Commissioner Garst mentioned the use of dark sky friendly lighting for this building and all buildings.

Motion carried unanimously by those present.

CONSTRUCTION PROJECT APPROVED

Clear Lake State Park, Cerro Gordo County – Remodel Park Residence Exterior

This project consists of the replacement of the roof, roofing with metal roofing, new gutter, windows and doors and cement fiber siding and other related work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% in a REAP Land Management (see Capital Link #162). Five sets of Plans were issued.

Linda Hanson reported that one bid was received on the remodel of the park residence exterior at Clear Lake. That bid was \$32,083.56 from Mients Construction of Clear Lake.

Motion was made by Commissioner Rettig to approve the bid of Mients Construction of Clear Lake in the amount of \$32,083.56 for remodel of park resident exterior at Clear Lake State Park in Cerro Gordo County. Seconded by Commissioner Drees.

Mel Pacovsky, Facilities Engineer, explained that there was initial interest from five contractors but only one turned in a bid. He said contractors in that area are most likely interested in larger projects.

Motion carried unanimously by those present.

CONSTRUCTION PROJECT APPROVED

LAND ACQUISITION

Linda Hanson, Administrator, Management Services Division, presented the following item.

West Okoboji Lake Watershed, Dickinson County -- Richard J. Berglund Trust

The Natural Resource Commission's approval is requested for the acquisition of a parcel of land located adjacent to the west side of Iowa Hwy. 86, and ¼ mile west of West Okoboji Lake and Gull State Park in Dickinson County. This parcel appraises for \$143,175, but is being offered by the Richard J. Berglund Trust for \$138,175.

Tim Galm, Licensed Appraiser of Ag Appraisal and Land Management, Fostoria, Iowa, submitted the appraisal. Jerry Gibson negotiated the agreement.

The tract consists of 38 acres of cropland and approximately 1.5 acres of road right-of-way. After acquisition the tract will consist of 5 acres of cropland, 3 acres of tame grass pasture, 22.5 acres of restored native prairie, and 7.5 acres of restored wetlands. The acquisition will provide critical watershed protection to West Okoboji Lake; add wildlife habitat to complement the Lakeside Lab complex; and protection against imminent development. Stipulations attached to the acquisition include the following:

- Seller agrees to donate \$5,000 toward acquisition.
- Seller reserves incentive payment for enrollment into CRP-FWP, and the FWP payments for 2007 and 2008.
- Seller reserves “first right of refusal” to purchase the subject tract for the original selling price if the State of Iowa ever decides to sell the property, or transfer the jurisdiction to another state agency.

Acquisition funding will be provided by the Fish and Wildlife Trust fund, and will be used to leverage future federal grants. Surveying and incidental closing costs will be the responsibility of the Department.

Linda Hanson reported that in an effort to acknowledge a donation, the landowner involved in that donation of land will be asked at the time the land agreement is signed to designate the newspaper where he or she would like to have that acknowledgement of the donation reported. She said the landowner will sign that he or she acknowledges that a press release will be sent to the designated newspaper. Hanson said staff will also be attempting to do the same where an organization is contributing money.

Motion was made by Commissioner Drees to approve the acquisition of 39.5 acres of land at West Okoboji Lake in Dickinson County from the Berglund Trust for the price of \$138,175. Seconded by Commissioner Rettig.

Commissioner Garst questioned the clause regarding first right of refusal on this property and whether that clause expires with the seller’s death or remains with the land.

Basil Nimry explained that the intent of the owner of the land is to preserve this land undeveloped for future generations. He said the owner wants to assure that the land will not be developed and will stay in its current state or be developed for recreational uses only.

Ken Herring commented that clause is not a concern because it empowers the department to make sure the land is managed exactly as the owner desires. He said that is the only way the land can be managed with the money we are using to purchase the land. They are asking us to do exactly what we want to do in perpetuity.

Commissioner Drees related that he knows that family that is selling this parcel and they are very conservation minded and that the adjoining landowner plans to restore that to native prairie. He said this is a great project.

Commissioner Bird asked that in the future that the language be clarified within the project description so there is no confusion on how the land will be used.

Motion carried unanimously by those present.

LAND ACQUISITION APPROVED

Christopherson Slough, Dickinson County -- Bryan Heebner

The Natural Resource Commission's approval is requested for the acquisition of a parcel of land located 3 miles north of Superior in Dickinson County. This approximately 5-acre parcel is being offered by Bryan Heebner for the appraised price of \$1,500 per acre.

Jerry Gibson negotiated the option in compliance with Title 49 CFR Part 24 which allows the negotiator to negotiate without an appraisal up to a value of \$10,000. The price per acre was arrived at using comparable sales in Dickinson County.

The property is primarily an abandoned county road on the south edge of Christopherson Slough. The property consists of 5 acres of pasture and shrubs. Acquisition of the property will allow Wildlife Bureau personnel to access existing state and federal land from the West. No fencing or surveying costs are anticipated.

Acquisition funding will be provided by the federal Southern Tallgrass - NAWCA fund. Incidental closing costs are the responsibility of the Department

Motion was made by Commissioner Bird to approve the acquisition of a 5-acre parcel of land at Christopherson Slough in Dickinson County from Bryan Heebner for the price of \$1500 per acre. Seconded by Commissioner Rettig. Motion carried unanimously by those present.

LAND ACQUISITION APPROVED

Dewey's Pasture WMA, Palo Alto County -- Marlys Jensen

The Natural Resource Commission is requested to approve the acquisition of a parcel of land located in Palo Alto County. This 28.1-acre parcel is offered by Marlys Jensen for the appraised price of \$80,000.

Tim Galm, Licensed Appraiser of Ag Appraisal & Land Management, Fostoria, Iowa submitted the appraisal. Jerry Gibson negotiated the purchase agreement.

The subject property is located five miles north of Ruthven, Iowa adjacent on the east side to 360th Avenue and just northeast of Lost Island Lake. The parcel of land consists of 28.1 acres of cropland that will be restored to 26.6 acres of native prairie, and 1.5 acres of wetland. The parcel has excellent habitat for waterfowl and upland wildlife species. This acquisition will square up the boundary for this portion of Dewey's Pasture Wetland Complex.

Acquisition funding will be provided by the federal Southern Tall Grass Prairie - NAWCA fund. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Francisco to approve the acquisition of a 28.1 acre parcel of land at Dewey's Pasture WMA in Palo Alto County from Marylys Jensen for the appraised price of \$80,000. Seconded by Commissioner Drees. Motion carried unanimously by those present.

LAND ACQUISITION APPROVED

Bright's Lake WMA, Worth County – Seymour and Darlene Ferley

The Natural Resource Commission's approval is requested for the acquisition of a parcel of land located 13 miles west/northwest of Northwood and two miles east of Emmons, Minnesota adjacent to the south side of State Line Road. The 263.8-acre tract is offered by Seymour and Darlene Ferley for the appraised price of \$219,000 after being encumbered by a Wetland Reserve Program easement. [The Natural Resource Conservation Service is in the process of acquiring a WRP easement from Ferleys.] Sellers have stipulated as a condition of sale that they retain the 2007 agricultural rights that include six Conservation Reserve Program contracts totaling 45.7 acres.

Fred Greder, Licensed Appraiser, of Benchmark Agribusiness, Mason City, Iowa submitted the appraisal. Jerry Gibson negotiated the purchase agreement.

The subject tract has 254.9 acres to be encumbered by a WRP easement; and 8.9 acres of road right-of-way and waste. After restoration the tract will contain 24.9 acres of restored wetlands, and 230 acres of grassland. There are no buildings. The tract will provide excellent habitat for nesting waterfowl and upland wildlife species. The average CSR is 72, but not applicable since the majority of the tract is enrolled in the WRP.

Acquisition funding will be provided by the federal Southern Tallgrass - NAWCA fund. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Rettig to approve the acquisition of a 263.8-acre tract of land at Bright's Lake WMA in Worth County from Seymour and Darlene Ferley for the appraised price of \$219,000 after being encumbered by a Wetland Reserve Program easement. Seconded by Commissioner Bird. Motion carried unanimously.

LAND ACQUISITION APPROVED

Heery Woods State Park, Butler County -- Kurth, et.al Donation

The Natural Resource Commission is requested to accept the donation of a parcel of land located in Butler County, Iowa. This approximately 10-acre donation is offered by Frederick Heery

Kurth, Catherine Fitch, Margaret Chmielewski, Catharine Folsom, John Conroy and Patricia Watkins.

Jerry Gibson negotiated the donation.

The property is located on the south bluff of the Shell Rock River immediately adjacent to Heery Woods State Park. Heery Woods State Park is located on the Southwest side of Clarksville and managed by the Butler County Conservation Board. There are 394 acres for camping, fishing, hiking, boating, and snowmobiling with a 1930's era CCC stone lodge. Grantors stipulated as a condition of the donation that the State of Iowa maintain the tract as Parkland in perpetuity. The tract consists of a hardwood forest mix. The tract is utilized by songbirds, fur bearers, deer, and wild turkey, as well as hikers.

No fencing or survey costs are anticipated. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Bird to accept the donation of a 10-acre tract of land at Heery Woods State Park in Butler County from Frederick Heery Kurth, Catherine Fitch, Margaret Chmielewski, Catharine Folsom, John Conroy and Patricia Watkins. Seconded by Commissioner Francisco. Motion carried unanimously by those present.

LAND DONATION APPROVED

Muskrat Slough Wildlife Management Area, Jones County -- Matthew McQuillen

The Natural Resource Commission's approval is requested to purchase a parcel of land located in Jones County. This property is located adjacent to the north of state-owned and managed Muskrat Slough Wildlife Management Area. Matthew McQuillen offers this 72.1-acre tract for \$195,000. The appraised price of the tract is \$209,032. The seller will retain the CRP payments as may be earned on 17.1 acres for the duration of the contracts and cropping rights on 37.9 acres through 2009.

Jamie Nabb, Licensed Appraiser of Mt. Vernon, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement.

This property is located 8 miles southeast of Anamosa. The nearly level to strongly-sloped tract is comprised of a mix of cropland, Conservation Reserve Program land, and wetlands. The average Corn Suitability Rating of the property is 65. There are no building improvements. A county gravel road forms the north boundary of the tract.

This tract will increase the Muskrat Slough area to 600 acres, and will add high quality diversity to the existing wetland complex. The acquisition will provide substantial upland nesting habitat, improve surface water quality, and enhance public recreation to this area. The Wildlife Bureau will manage the property in accord with the area management plan.

Acquisition funding will be provided by Cedar-Wapsi Valley NAWCA (\$187,408), and Twin Rivers Pheasants Forever (\$7,592). No survey or fencing costs is anticipated. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Rettig to approve the purchase of a 72.1-acre tract of land at Muskrat Slough Wildlife Management Area in Jones County from Matthew McQuillen for the price of \$195,000. Seconded by Commissioner Drees.

Ken Herring related that Matt McQuillen, has been an enormous supporter and had purchased this land and held it until the department could buy it. Mr. Herring added that a population of eastern prairie fringed orchid, which is an Iowa endangered species, has been found on this land.

Motion carried unanimously by those present.

LAND ACQUISITION APPROVED

Horseshoe Bend National Wildlife Refuge, Louisa County -- INHF (EMC)

The Natural Resource Commission's approval is requested to purchase a parcel of land located in Louisa County. The property is located adjacent to the south of the unnamed 915 acre (unnamed) tract of land approved by the NRC in June of 2006. The appraised value of this parcel is \$267, 445. The INHF offers the 356.59-acre parcel for \$217,520.

Jamie Nabb, Licensed Appraiser, of Mount Vernon, Iowa, submitted the appraisal. Travis Baker negotiated the purchase agreement.

This property is located in southeastern Louisa County, Iowa. The town of Wapello is located three-quarters of a mile west of the property. The entire property is enrolled in a permanent conservation easement known as a Wetlands Reserve Program (WRP) granted to the United States of America. The property is primarily overflow river bottom wetlands and flood prone timber. The entire property is in the designated flood hazard area and is subject to flooding.

The property provides excellent habitat for reptiles and amphibians, wading birds, wild turkeys, deer and waterfowl. Good populations of pheasant and quail are present. This property would continue to fill a gap in the Iowa River Floodplain between over 3,400 acres of public wildlife areas less than three miles upstream and a 2,600-acre national wildlife refuge less than a mile downstream.

Acquisition funding will be provided by the Wildlife Habitat Stamp fund. This property will remain on the Louisa County property tax rolls. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Drees to approve the purchase of 915-acre tract of land at Horseshoe Bend National Wildlife Refuge in Louisa County from the Iowa Natural Heritage Foundation for the price of \$217,520. Seconded by Commissioner Rettig.

Linda Hanson reviewed which funding sources require that the property is subject to remaining on the county tax rolls. In answer to a question about whether taxes increase when improvements are made to a property, it was confirmed later in the meeting that no taxes are ever fixed.

Motion carried unanimously by those present

LAND ACQUISITION APPROVED

**HANGING ROCK WILDLIFE MANAGEMENT AREA, DALLAS COUNTY --INHF
(HUMISTON)THE NATURAL**

Linda Hanson, Administrator, Management Services Division, presented the following item.

Resource Commission's approval is requested to purchase a parcel of land located in Dallas County. The property is located one-half to the north of the DNR owned (managed by Dallas CCB) Hanging Rock Wildlife Management Area and is appraised at \$175,000. The INHF offers the 56.72-acre parcel for \$90,500.

Jamie Nabb, Licensed Appraiser of Mount Vernon, Iowa, submitted the appraisal. Travis Baker negotiated the purchase agreement.

This property is located in southwestern Dallas County, Iowa. The town of Redfield is located adjacent to the east of the property. The property is situated within the Middle Raccoon River Protected Water Area. The property will provide a riparian buffer and public access to this popular canoeing stream. Currently, 6 acres are actively cropped and the property carries a 53 Corn Suitability Rating (CSR).

Acquisition funding will be provided by the REAP Protected Waters fund. This property will remain on the Dallas County property tax rolls. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Bird to approve the purchase of a 56.72-acre parcel of land at Hanging Rock Wildlife Management Area in Dallas County from the Iowa Natural Heritage Foundation for the price of \$90,500. Seconded by Commissioner Francisco. Motion carried unanimously.

LAND ACQUISITION APPROVED

McCoy Wildlife Management Area, Boone County – Don Adams, Nancy Ross, and the Estate of Harold Adams

The Natural Resource Commission's approval is requested to purchase a tract of land located in Boone County. This property is located adjacent to the east of state-owned and managed McCoy Wildlife Management Area, and adjacent south of Ledges State Park. Don Adams, Nancy Ross, and the Estate of Harold Adams offer this 81.1-acre tract for the appraised price of \$219,000.

David Nebel, Licensed Appraiser of Nevada, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement.

This property is located 4 miles south of Boone. The gently sloping to steep tract is comprised of 44 acres of grassland and 37.1 acres of forest. A creek severs the forested region of the tract. The average Corn Suitability Rating of the grassland is 71. There are no building improvements. A county gravel road forms the north boundary of the tract.

This tract will increase McCoy WMA to 516 acres. The acquisition will provide substantial upland nesting habitat, improve surface water quality, and enhance public recreation to this area. On behalf of Pheasants Forever, this tract will be named John Boyer Addition to McCoy Wildlife Management Area. The Wildlife Bureau will manage the property in accord with the area management plan.

Acquisition funding will be provided by: \$90,500 Wildlife Habitat Stamp; \$57,500 Pheasants Forever (Boone County Chapter, Iowa State Council PF, Beaver Creek Chapter, North Polk Chapter, Hamilton County Chapter, Iowa Capitol Chapter, Greene County Chapter, and Mud Creek Chapter); \$50,000 REAP license plate funds; \$15,000 National Wild Turkey Federation; \$3,000 Big Bluestem Audubon Society; and \$3,000 Des Moines Chapter Audubon Society. The Department will pay for a boundary fence along the east property line. No survey costs are anticipated. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Rettig to approve the purchase of a 81.1 acre tract of land at McCoy Wildlife Management Area in Boone County for the appraised price of \$219,000. Seconded by Commissioner Francisco.

Commissioner Bird commented on the variety of donors who supported the purchase of this property. He expressed his appreciation of those efforts and thanked the contributors.

Motion carried unanimously by those present.

LAND ACQUISITION APPROVED

APPOINTMENT – BRUCE KLUVER

Bruce Kluver, Save Crystal Lake Committee, introduced other members of that committee and thanked the department for their support of Crystal Lake and belief in their community. They presented the Director with a poster signed by many of the community.

Marion Conover was presented a plaque and thanked for his work toward restoring Crystal Lake. A letter from Governor Branstad was read in which he congratulated the Crystal Lake community for their time and hard work toward the changes at Crystal Lake.

PUBLIC PARTICIPATION

Elizabeth Garst, Chairperson, asked the commission to review the public participation rules. She read the procedure adopted by the Environmental Protection Commission. Note was made that public speakers at NRC meetings generally are allowed five minutes to speak, are asked to submit written materials a day in advance, and generally speakers are grouped by category or item being discussed and at the Chair's discretion, are allowed to speak at the time that item is being presented.

Commissioner Rettig commented that public participants should be able to present as many materials as they want if it is a subject in general, but if it is regarding a item the commission is voting on, the material should be received a day in advance. She added that the public should be encouraged to participate.

A draft of the procedure will be prepared for the next meeting.

MANAGEMENT AGREEMENT – PERRY NORTH RACCOON RIVER ACCESS, DALLAS COUNTY

Linda Hanson, Administrator, Management Services Division, presented the following item.

The Natural Resource Commission's approval is requested for a management agreement between the City of Perry (City), Iowa and the DNR. This agreement would authorize the City to manage the Perry North Raccoon River Access for the period ending June 30, 2017. The 4.93 acre river access area was acquired by the DNR in 1984 through a transfer of jurisdiction from the Iowa Department of Transportation (IDOT). The area consists of an approximately 1/4 mile length portion of old State Highway 141 with a boat ramp at the river. It is located about 1/8 mile north of existing Highway 141 at the west edge of the City of Perry. The City has requested the management agreement.

This area will continue to be managed as a river access. The City proposes to further develop the area by installing exterior lighting, parking area barriers, river viewing areas and a picnic area. Those development activities are planned to begin immediately to complement the 2007 Project AWARE river clean-up. Through an agreement with IDOT, the City will also manage approximately 18 acres south and adjacent to this DNR property and north of Highway 141. Both the DNR and IDOT areas will be managed as a single recreation area.

Note was made that this agreement will end on June 30, 2017 at the request of the City of Perry rather than in 30 years.

Motion was made by Commissioner Bird to authorize the Director to enter into a management agreement with the City of Perry to manage the Perry North Raccoon River Access. Seconded by Commissioner Francisco. Motion carried unanimously by those present.

MANAGEMENT AGREEMENT APPROVED

BUDGET OVERVIEW AND FISCAL YEAR 2009 PREPARATION

Linda Hanson, Administrator, Management Services Division, presented the following item.

The Commission was provided information relative to the Department's Fiscal Year 2008 Operating Budget and Capital Budget. Information was also presented that would allow the Commission to offer input into the budgeting process for the Fiscal Year 2009 Operating Budget.

Linda Hanson presented an overview of the department's budget during Commissioner Training. An overview of the Fiscal Year 2009 budget process and the timeline was distributed and explained.

Commissioner Rettig asked if there is a planning process where projections or plans for future years are in a document. Hanson noted that the department has had a Five-Year Capital Plan but there were so many contingencies that it was not followed easily. She said there is all kinds of future planning going on at all times but what comes to the Commission is basically the one-year capital plan which the Commission gets in June. Hanson further explained that the budget document that was distributed gives the broader picture for capitals in Conservation and Recreation Division and is broken down by funding sources.

Ken Herring explained that the department has changed structurally and some bureaus merged so there is no one single planning document but there are planning documents in each bureau that are constantly changing.

Commissioner Rettig commented that she finds it challenging since she does not have knowledge on the history on projects such as Honey Creek. She asked that any planning documents be provided on these projects.

Commissioner Garst stated that she feels the planning of the capital budgets is minimizing the need for the kind of planning that we need to be doing. She said there are plans in the department--the Comprehensive Wildlife Plan, the Outdoor Recreation Plan and a variety of slightly obsolete plans on various topics, and soon there will be a Water Plan, but these are not well integrated with each other. Garst emphasized that there needs to be a plan that brings together outdoor recreation, wildlife, water, and others and that plan should be re-freshened every year. She said the next step then would be to measure how we are doing relative to those plans in term of how many acres that we buy, how many acres that we protected, how many outdoor users have we served. She said that is a real important part of good management. She also suggested that we include in the budget a person to help try to round all these plans up and get a system that is live and not sitting on a shelf.

Linda Hanson related that the department has a Strategic Plan. All other plans conform with that Plan, and also there are performance measures within that plan. She suggested viewing the web site called Results Iowa to view the performance measures for the Department of Natural Resources that the Governor has selected and is updated quarterly. Hanson added that these are done on a department-wide scale and are very broad, but as it comes down to this department, we have the annual strategic planning where we try to encompass the essence of those plans within the strategic plan and we do measure for results.

Hanson also remarked that the Director has indicated that he would like to have environmental indicators whether it is fishable waters, drinkable waters, swimmable waters or recreational ones and staff has looked at models from different states. She said there may be more of this type of integration of plans coming forward this year. Hanson added that none of these plans happen in a vacuum and there is participation across divisions and bureaus.

Hanson further explained that the department's Strategic Plan has to be submitted statutorily by September 1 annually so we are now working on FY 09. The staffing planning process is going on now also. She explained that in the past the Governor has instructed the agency to submit a status quo budget, so much of what happens this year will be guided by the Governor's Office and the Department of Management.

The Commission was asked to keep asking questions and to offer suggestions of ways to improve the information they are provided.

INFORMATION ITEM

28E AGREEMENT – HAMILTON COUNTY CONSERVATION BOARD AND WEBSTER CITY

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Natural Resource Commission's approval is requested to enter into a 28E Agreement with the Hamilton County Conservation Board (Board) and Webster City (City) to develop and fund a fishing and aquatic resource outreach education program and related family camp on the Boone River in Webster City, Iowa, utilizing the existing resources of the parties. Iowa Code chapter 28E (2007) authorizes this agreement.

The Department proposes to provide the Board with not more than \$1600.00. The Board will use the funds to hire a fishing and aquatic resources outreach educator. The educator, under the supervision and direction of the Board and with resources from the Department, will help develop a fishing and aquatic resources program related to the Boone River and will assist with the development of a day camp for families along the Boone River. This camp will offer local families fishing and canoeing opportunities as well as education about water quality and river

ecology. The agreement also defines the responsibilities of the Board and the City in assisting with the planning and development of the camp.

Motion was made by Commissioner Francisco to enter into a 28E Agreement with the Hamilton County Conservation Board and Webster City to develop and fund a fishing and aquatic resource outreach education program and related family camp on Boone River in Webster City. Seconded by Commissioner Bird. Motion carried unanimously by those present.

AGREEMENT APPROVED

28E AGREEMENT – WRIGHT COUNTY CONSERVATION BOARD

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Natural Resource Commission's approval is requested to enter into a 28E Agreement with the Wright County Conservation Board (Board) to enhance construction projects underway at Lake Cornelia. The Department will accomplish this enhancement by funding public improvement projects the Board identifies and by allowing the Board to contract for said improvements. Iowa Code chapter 28E (2007) authorizes this agreement.

The Department is in the process of completing a number of significant improvements at Lake Cornelia, including bridge upgrades, a marina enlargement and decking. The Department is utilizing a special appropriation it received to complete this work. The Department proposes providing the Board with the remaining \$155,000 of the appropriation to enable the Board to contract for additional improvements to enhance the recent projects. The additional improvements shall be subject to approval by the Department and may include the following: docks for the marina area, restroom upgrades, land acquisition for trail expansions, playground development, signage and landscaping, and trail improvements. The Department also proposes an amendment provision in the agreement that would enable the Department to provide to the Board additional funds, as they may be available upon completion of work the Department is finishing, in an amount not to exceed \$25,000.

Providing the funds to the Board will defray costs to the Department by reducing the amount of staff time overseeing these smaller projects.

Motion was made by Commissioner Drees to enter into a 28E Agreement with the Wright County Conservation Board to enhance construction projects underway at Lake Cornelia. Seconded by Commissioner Rettig. Motion carried unanimously by those present.

AGREEMENT APPROVED

LAND & WATER CONSERVATION FUND – CITY AND COUNTY GRANTS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Natural Resource Commission is requested to approve the ranking of all applications for the Land and Water Conservation Fund, City and County Grants, as determined by the Project Review and Selection Committee, and to approve full-funding for the top seven projects, as recommended by the committee, and to approve partial funding in the amount of \$17,154.46 for the eighth-ranked project, as recommended by the committee. The Land and Water Conservation Fund is a 50/50 federal cost share grant program for outdoor recreation project.

A total of 22 applications were received by the March 15, 2007 deadline. Grant requests for the 22 applications totaled \$1,154,717.00. A five-member committee reviewed the 22 applications and scored/ranked them based on the following criteria:

- Relationship to SCORP Priorities (Statewide Comprehensive Outdoor Recreation Plan)
- Direct Recreation Benefits Provided
- Local Need
- Quality of the Site

Additional bonus points and penalty points were also included in the scoring system. They are based on such criteria as level of prior assistance from the LWCF; special features for the elderly and handicapped; minority populations served; degree of public participation and support; recycled content material use; and level of planning that has preceded the application for a LWCF grant.

This year, Congress intends to appropriate \$27,994,976.00 nationwide, resulting in an appropriation to Iowa in the amount of \$370,704.00. One half of Iowa's apportionment or \$185,352.00 plus one half of monies available from FY05 and FY06, or \$130,939.45, makes a total of \$316,291.46 available to cities and counties for outdoor recreation acquisition and development projects.

Rank	Applicant -2007	Request	Total Cost	Project
1	Adams County Conservation Board	\$75,000.00	\$505,440.00	Cabins and Campground Improvements at Lake Icaria
2	Battle Creek	\$25,000.00	\$53,000.00	Battle Creek Alumni Park
3	Elma	\$45,200.00	\$90,400.00	Elma Park Improvements
4	New Virginia	\$50,000.00	\$182,964.00	Gerry Allen Memorial Park
5	Clay County Conservation Board	\$22,500.00	\$45,000.00	Scharnberg Park Restroom & Bath House Refurbishment and Playground Addition
6	Melbourne	\$50,000.00	\$594,672.00	Melbourne Swimming Pool
7	Allison	\$31,437.00	\$31,437.00	Wilder Park Campground Improvements

8	Des Moines County Conservation Board	\$51,500.00	\$103,000.00	Starr's Cave Trail Stabilization, Resurfacing and Route Re-alignment
9	Linn County Conservation Board	\$67,760.00	\$135,520.00	Crows Creek Trail
10	Tipton	\$28,000.00	\$72,039.00	Tipton Municipal Tennis Courts Improvement Project
11	Britt	\$75,000.00	\$2,200,000.00	Britt Municipal Aquatic Center
12	Mitchell County Conservation Board	\$60,000.00	\$120,000.00	Cedar Bridge Park & Campground
13	Linn County Conservation Board	\$190,000.00	\$450,000.00	Squaw Creek Park A - Loop Campground Expansion
14	Manly	\$75,000.00	\$1,403,300.00	Manly Family Aquatic Center.
15	Corning	\$75,000.00	\$2,110,000.00	New Corning Aquatic Center
16	Shelby County Conservation Board	\$20,320.00	\$40,640.00	Nishna Bend Recreation Area
17	Titonka	\$50,000.00	\$147,000.00	Swimming Pool/Bathhouse
18	Prairie City	\$75,000.00	\$75,000.00	Recreational Complex project
19	Chickasaw County Conservation Board	\$40,000.00	\$80,000.00	Airport Lake Park Campground Renovation
20	Clear Lake	\$13,000.00	\$26,000.00	Clear Lake Aquatic Center Project, Phase Two
21	Rock Rapids	\$20,000.00	\$62,900.00	New playground equipment
22	Farnhamville	\$15,000.00	\$30,000.00	Playground equipment at city park

Motion was made by Commissioner Francisco to approve the ranking of all applications for the Land and Water Conservation Fund, City and County Grants, as determined by the Project Review and Selection Committee, and to approve full-funding for the top seven projects, as recommended by the committee, and to approve partial funding in the amount of \$17,154.46 for the eighth-ranked project, as recommended by the committee. Seconded by Commissioner Rettig. Motion carried unanimously by those present.

GRANTS APPROVED

WATER RECREATION ACCESS COST-SHARE GRANTS FOR FY08

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Water Recreation Access Cost-Share (WRAC) Grant applications for FY08, funded through the Marine Fuel Tax Program, have been reviewed and prioritized by the cost-share review committee. The Department received 34 applications, but had funding available for 11 projects.

The 11 successful applicants presented projects totaling \$301,475.50, but the Department recommends awarding not more than \$205,436.13 to these 11 successful applicants; the remaining portion shall be provided by the applicant as part of a cost sharing requirement of the WRAC program. The following attachment is a listing of the selected applications and associated grant awards.

The Department requests that the Commission approve the recommended FY 08 WRAC Grant awards.

FY 2008 Water Resource Access Cost-Share Grant Awards*

Applicant	Project	Grant Request	Grant Awarded
Benton CCB	Cedar River Auburn Access boat ramp replacement.	\$15,000.00	\$11,250.00
City of Afton	Afton City Reservoir (Union Co.) boat ramp construction .	\$18,723.00	\$14,042.00
City of Albia	Lower Lake (Monroe Co.) boat ramp and dock replacement.	\$23,295.00	\$17,471.25
City of Manchester	Schramm Pond Access boat ramp to the Maquoketa River.	\$30,400.00	\$17,200.00
Council Bluffs Parks System	Big Lake Park small boat access and shoreline stabilization.	\$54,753.00	\$26,000.00
Dubuque CCB	Mud Lake Access to the Mississippi River access development.	\$55,084.50	\$41,313.38
Emmet CCB	West Fork of the Des Moines River North Trailhead boat ramp development.	\$20,750.00	\$15,562.50
Emmet CCB	Tuttle Lake boat ramp replacement.	\$17,280.00	\$12,960.00
Jasper CCB	Ahrens Access Jacob Krumm Area boat access restroom construction.	\$15,000.00	\$11,250.00
Kossuth CCB	East Fork of the Des Moines River – Algona boat access development.	\$23,780.00	\$17,830.00
Louisa CCB	Iowa River-River Forks Access boat ramp replacement and parking lot renovation.	\$27,410.00	\$20,557.00
	TOTALS:	\$301,475.50	\$205,436.13

*listed in alphabetic order

Motion was made by Commissioner Rettig to approve the recommended FY 08 WRAC Grant awards as presented. Seconded by Commissioner Francisco. Motion carried unanimously by those present.

GRANTS APPROVED

CONCESSION CONTRACT – LAKE MANAWA STATE PARK

Kenneth Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Natural Resource Commission's approval is requested to enter into a concession contract for Lake Manawa State Park. Notice of concession availability was published in the Des Moines Register Sunday Business pages. Notices were also published in newspapers local to Council Bluffs and Omaha. No bids were received and the Department exercised its authority, according to 571 IAC section 14.3(1), to contact potentially interested persons to negotiate a contract. The Department contacted Nancy Hoden of Council Bluffs, a manager with Casey's General Store in Council Bluffs.

Nancy Hoden of Council Bluffs proposes a five year contract offering: snack-type food service; convenience store items for sale; bait sales; boat rental; lifeguarded (fee admission) beach; firewood sales; bike rentals; catering services; and operation of Shelter #3 near the beach. Ms. Hoden proposes the following fees to be paid to the State: 2007 - \$1,000; 2008 - \$2,000; 2009-2011 - \$2,600 each year. Ms. Hoden plans to finance the operation by utilizing some of her savings and by securing a small loan.

Staff recommends awarding the concession contract to Nancy Hoden of Council Bluffs, Iowa.

Motion was made by Commissioner Francisco to enter into a concession contract for Lake Manawa State Park. Seconded by Commissioner Rettig.

Short discussion ensued regarding the term "lifeguarded (fee admission) beach". Commissioner Bird asked if there would be an admission fee when a lifeguard is on duty.

Ken Herring offered to find the answer and e-mail the commissioners.

Commissioner Garst suggested that one reason no bids are received when advertising concession contracts is because most people do not know what the word "concession" means. She suggested finding better vocabulary might increase business.

Kelley Myers commented that she is working with the concession manager to find a way to make these concessions work a little better. She said one issue discussed is the marketability and engaging our communications staff to get the word out about the relationship between our parks and friends groups and these concessionaires. She added that this communication is being used with the shooting range right now in trying to get a concessionaire to be a 24 hour presence.

Ken Herring further explained that for this shooting range we entered into an agreement with a RC&D staff person to develop a business plan. They came up with an opportunity for one of our existing concessionaires through this business plan approach and this might be an opportunity to transfer that approach to the state park concessions.

Motion carried unanimously by those present..

CONCESSION CONTRACT APPROVED

CONSERVATION AND RECREATION DONATIONS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Natural Resource Commission is requested to approve the following donations:

Donation to:	Amount	Donation Provided by:	Description
Fish and Game Trust Fund	\$50.00	John & Michelle Colshan and Laura Colshan Frye	In memory of Richard Colshan, born and raised in Ida Grove, IA, who always enjoyed hunting and fishing as well as the natural beauty of Iowa.
Fish and Game Trust Fund	\$500.00	IA Trappers Assn, Inc.	The donation is for the purchase of Fur Harvester Education binders.
Fish and Game Trust Fund - Fisheries - Clear Lake area	\$45.00	Shelley Magnani	Donation given in memory of William Shranklen, father of co-worker Shelley Magnani, who was an avid fisherman.
Fish and Game Trust Fund - Hawkeye Wildlife Area	\$1,000.00	Rockwell Collins	Donation was to fund garbage bags and disposal costs for a Rockwell Collins clean-up on 09/30/06 at the Hawkeye Wildlife Area, as well as to pay for the purchase of display panels for educational displays used at public events (DNR Wildlife booth), and to fund general habitat work.
Parks - Lake Macbride State Park	\$175.78	Troy and Kris Wentzien	Donation to Lake Macbride State Park for Tanner Wentzien's Eagle Scout project at the primitive campground.
Parks - Lake Macbride State Park	\$400.00	Solon Beef Days Committee	Donation to Lake Macbride State Park for Tanner Wentzien's Eagle Scout project at the primitive campground.
Parks - Green Valley State Park	\$475.00	Keith McCay and Family	Donation of a memorial park bench from Keith McCay and family was given to Green Valley State Park.
Parks - Mines of Spain Recreation Area	\$500.00	John Deere Dubuque Works	Donation of 144 dozen pair of leather gloves and 60 dozen pair of vinyl gloves. The gloves will be used by numerous volunteers for trail work, painting, road clean-ups, and other park related projects.
Parks - Mines of Spain Recreation Area	\$710.74	Dana Livingston	Donation consisted of using personal equipment, supplies, and obtaining training in chainsaw safety and prescribed fires to assist in burning prairies and working on savanna restorations.

Parks - Mines of Spain Recreation Area	\$3,194.90	Scott Timmerman	Donation assisted in the construction of a foot trail at the EB Lyons Interpretive Center. This trail serves as a bisecting trail that will be used for interpretive hikes. Trail work consisted of placing 12" square stones in place for steps, three stones per step with 75 steps.
Parks - Mines of Spain Recreation Area	\$4,246.53	Taylor Metcalf	Donation assisted in the construction of a stone entrance portal at the EB Lyons Interpretive Center for an Eagle Scout Project. Donations consisted of recruiting labor, materials, food, and equipment to construct the portal. The portal was constructed out of limestone which had been donated in 2006 for two other portals in the park.
Parks- Mines of Spain Recreation Area	\$11,334.50	John Deere Dubuque Works	Donation consisted of 20 five drawer file cabinets, 2-3 drawer file cabinets, 3 office desks, 25 conference chairs and 3 office chairs. These items will be used in the proposed addition to the EB Lyons Interpretive Center office, archive area, conference room, and library. Items are currently being stored by the Friends of the Mines of Spain.
Parks - Stephens State Forest Equestrian Campgrounds	\$150.00	The Iowa Horse Council	Donation was received for the purchase of approximately 15 tons of lime chips for hitching rail maintenance.
REAP	\$100,000.00	Iowa Natural Heritage Foundation	Donation toward the purchase of Ventura Cove Enhancement Project at Clear Lake
Sustainable Funding	\$100.00	IA Chapter-Sierra Club	Donation to assist with the cost of the Sustainable Funding survey.
Sustainable Funding	\$1,000.00	Iowa Natural Heritage Foundation	Donation to assist with the cost of the Sustainable Funding survey.

Ken Herring introduced Cheri Grauer of the Iowa Natural Heritage Foundation. She talked briefly about the partnerships with the Department and specifically on the Ventura Cove Enhancement Project at Clear Lake. Ms Grauer presented the Director with a contribution check for the Ventura Cove project in the amount of \$100,000. She also presented a check from the Iowa Natural Heritage Foundation in the amount of \$1,000 for the Sustainable Funding Advisory Committee support. The INHF was thanked for their support and for being a partner in conservation activities.

Motion was made by Commissioner Francisco to accept the donations with thanks. Seconded by Commissioner Rettig.

Commissioner Rettig noted the numbers of volunteers involved in donations to the parks and other lands in the state.

Commissioner Garst related that one of the things she has been suggesting is to try to figure out a

way to measure donations and acknowledge them appropriately, especially the Iowa Natural Heritage Foundation. Garst, in addressing Ms. Grauer, said she would welcome suggestions from the INHF about how the DNR can measure their contributions to the department and how we acknowledge them most appropriately. She added that it could be measured project by project, press release by press release in local communities, but also how many dollars were donated last year. After such a system of recognizing donors is set up, it can be applied to Pheasant Forever or DU and all other people who help the department and would like to be thanked appropriately.

Motion carried unanimously by those present.

DONATIONS APPROVED

HELP US STOP HUNGER (HUSH) CONTRACT WITH FOOD BANK OF IOWA

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission's approval is requested to enter into a one-year agreement with the Food Bank of Iowa to assist in the execution of the Department's Help Us Stop Hunger (HUSH) deer donation program. This will be the fifth year of this type of relationship with the Food Bank. The Food Bank is responsible for making all arrangements for venison pick-up from lockers and distribute that venison to Iowa's needy. Pursuant to the proposed agreement, the Food Bank of Iowa will make the payments directly to lockers for processing deer in a timely manner during the deer processing season, utilizing three large payments from the DNR. The Food Bank of Iowa will be making payments to possibly hundreds of lockers throughout the term of this contract.

The proposed agreement would conform to the DNR's proposed HUSH program rules, requiring the DNR to pay the Food Bank of Iowa to cover costs associated with processing the deer, plus \$5 per deer processed for the HUSH program to cover the Food Bank of Iowa's administrative costs, or approximately \$370,000. The amount is an estimate and may change depending on the processing costs at the meat lockers and the number of deer enrolled in the program. The contract will be for a term not to exceed one year.

Motion was made by Commissioner Rettig to enter into a one-year agreement with the Food Bank of Iowa to assist in the execution of the Department's Help Us Stop Hunger (HUSH) deer donation program. Seconded by Commissioner Francisco.

Commissioner Garst asked if as the program becomes more popular if the department is being affected more financially. Ken Herring responded that hunter dollars are being spent on this program and it is felt there is a significant social benefit, but at some point there may be a need to ask if the legislature and the General Fund would be willing to weigh into this program. Herring added that many stakeholders have indicated they like this program and they want more deer harvested. He said about 1/3 of the hunters of this state purchase an additional tag to harvest additional does, but about 2/3 of the public get one tag so we can market to those people.

Herring said we think it is a benefit and we feel it is right to ask all Iowans to pay for this program and this is something we will probably need to pursue.

Commissioner Garst commented that the HUSH program extends beyond the statistics of the actual program. She said her experience locally is that people think it is great and sometimes run their own program. She added that it is a great program and the approach inspired people to think.

Motion carried unanimously by those present.

CONTRACT APPROVED

HUSH 2006-2007 DEER DONATION REPORT

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Department requests the Commission to review the attached “Final Deer Donation Annual Report for 2006-2007 Season” regarding the total funds expended and acquired for the DNR’s Help Us Stop Huger (HUSH) program. The Department has been managing this deer donation program for nearly the past five years, in conjunction with the Food Bank of Iowa and several meat lockers and processors around the state. The HUSH program has grown to become a significant program within the DNR and has required staff to develop administrative rules to better define and manage the program.

Final Deer Donation Annual Report for 2006-2007 Season

R. Harrison, 4-20-07

\$1 HUSH Fee Income from Deer Permits

Income from the \$1 HUSH fee on deer tags was \$365,962, down 3.5% from the prior year. Fewer tags were distributed to landowner/tenants than the year before due to the new requirement to register their property.

HUSH Administrative Spending (estimates)

- \$900 for 20,000 HUSH brochures for hunters
- \$6,400 for 200,000 freezer bags for lockers
- \$200 for 10,000 cards hunters fill out at lockers
- \$700 for HUSH posters at lockers
- \$1,000 estimate for postage/in-house printing and other supplies
- \$9,200 TOTAL for promotional and communications activities**

All Donated Deer

A total of 6,820 deer were donated by Iowa hunters, which included 6,482 for HUSH, 275 for two chapters of Farmers and Hunters Feeding the Hungry and 63 for a Dept. of Corrections facility. This represents nearly a 7% increase from the prior year.

HUSH Summary

The 6,482 deer donated to HUSH at 80 lockers yielded 284,484 pounds of venison for a 43.9 pounds per deer average, about a 4% decline in dressed out efficiency from the previous year. This venison provided more than 1.1 million quarter pound servings.

Lockers were paid \$60 per deer for processing and the Food Bank of Iowa \$5 per deer for venison distribution arrangements and administrative services. These costs were \$388,920 and \$34,210 respectively, or \$423,139 in total. When DNR administrative costs of \$9,200 are added, the HUSH program expended \$66,368 more than was taken in from the extra \$1 fee on deer tags.

Other Donated Deer

FHFH

Farmers and Hunters Feeding the Hungry, a national faith-based deer donation program that raises its own local money to process deer for the needy, had established two chapters in Iowa during the season, Muscatine and Fairfield. Using its own funds, FHFH paid to have an additional 275 deer processed, a savings of \$18,875 to the DNR. FHFH is hopeful that it will establish five additional chapters next year.

Rockwell Correctional Center

63 deer were donated to the Rockwell Correctional Center which paid \$30/deer to the Yetter Locker to remove the hide, head and hooves, with inmates doing the remaining processing.

INFORMATION ITEM

FINAL RULE—CHAPTER 51, GAME MANAGEMENT AREAS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to adopt a final rule to amend Chapter 51, “Game Management Areas.” This amendment adds Hendrickson Marsh and Colo Bog in Story County to the list of areas where nontoxic shot is required and removes several wildlife management areas that were previously exempted from nontoxic shot use. No comments were received on this rule.

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 51, “Game Management Areas,” Iowa Administrative Code.

Chapter 51 establishes game management areas upon public lands or waters to provide for public hunting, fishing, or trapping in conformity with sound wildlife management practices. This amendment adds Hendrickson Marsh and Colo Bog in Story County to the list of wildlife areas where nontoxic shot is required and removes several wildlife management areas that were previously exempted from nontoxic shot use.

Notice of Intended Action was published in the Iowa Administrative Bulletin on March 28, 2007, as ARC 5802B. A public hearing was held on April 19, 2007, and no comments were received. No comments were received by phone or in writing.

This amendment is intended to implement Iowa Code sections 481A.5, 481A.6, 481A.8 and 481A.39.

These amendments shall become effective July 11, 2007.

The following amendments are adopted.

Amend rule 571--51.10(481A) as follows:

571--51.10(481A) Use of nontoxic shot on wildlife areas. It shall be unlawful to hunt any migratory game bird or resident game or furbearers, except deer and turkeys, or target shoot with a shotgun while having in one's possession any shot other than nontoxic shot approved by the U.S. Fish and Wildlife Service on the following wildlife areas:

<u>County</u>	<u>Wildlife Area</u>
Benton	Iowa River Corridor
Boone	Harrier Marsh
Buena Vista	All state and federal areas except Bluebird Access
Calhoun	South Twin Lake
Cerro Gordo	All state and federal areas
Clay	All state and federal areas except Burr Access, Dry Mud Lake, Little Sioux, Highbridge, Fen Valley, and the Ocheyedan wildlife area target shooting range
Dickinson	All state and federal areas except the Spring Run target shooting range
Emmet	All state and federal areas except Birge Lake, Grass Lake, Ryan Lake, and the East Des Moines River Access
Franklin	All state and federal areas
Greene	All state and federal areas except Rippey Access and McMahon Access
Guthrie	McCord Pond, Lakin Slough and Bays Branch, except the target shooting range at Bays Branch
Hamilton	Little Wall Lake, Gordon Marsh and Bauer Slough
Hancock	All state and federal areas
Humboldt	All state and federal areas except Bradgate Access and Willows Access
Iowa	Iowa River Corridor
Jasper	Chichaqua
Kossuth	All state and federal areas except Seneca Access
Osceola	All state and federal areas
Palo Alto	All state and federal areas
Pocahontas	All state and federal areas except Kalsow Prairie
Polk	Paul Errington Marsh and Chichaqua
Sac	All state and federal areas except White Horse Access and Sac City Access

<u>Story</u>	<u>Hendrickson Marsh and Colo Bog</u>
Tama	Iowa River Corridor
Winnebago	All state and federal areas
Worth	All state and federal areas
Wright	All state and federal areas

Date

Richard A. Leopold, Director

Motion was made by Commissioner Francisco to approve Final Rule—Chapter 51, Game Management Areas. Seconded by Commissioner Rettig.

Commissioner Rettig questioned why non toxic shot is used only in certain areas as opposed to across the state. She asked for information about non toxic shot use, the costs and why it is not used across the state.

Commissioner Francisco commented that for waterfowl it is required that all hunters use non toxic shot and it is increasingly becoming the preferred shot of turkey hunters.

Ken Herring responded that the science is not there yet to show a population problem and he does not feel it would be supported by the public. He offered to have Dale Garner provide information regarding non toxic shot and what science is available.

Motion carried unanimously by those present.

FINAL RULE APPROVED

FINAL RULE—CHAPTER 52, WILDLIFE REFUGES

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to adopt a final rule to amend Chapter 52 “Wildlife Refuges.” The amendments add Sedan Bottoms in Appanoose County and the Jemmerson Slough Complex in Dickinson County to the list of wildlife refuges. The amendment also removes several areas from the sub-rule that are no longer posted as refuges or have not been functioning effectively as waterfowl refuges. No comments were received on this rule.

NATURAL RESOURCE COMMISSION [571]
Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 52, "Wildlife Refuges," Iowa Administrative Code.

Chapter 52 establishes wildlife refuges or sanctuaries for the purposes of preserving the biological balance; protecting public parks, public health, safety and welfare; and effecting sound wildlife management. This amendment adds Sedan Bottoms in Appanoose County and the Jemmerson Slough Complex in Dickinson County to the list of wildlife refuges. The amendment also removes several areas from the subrule that are no longer posted as refuges or have not been functioning effectively as waterfowl refuges.

Notice of Intended Action was published in the Iowa Administrative Bulletin on March 28, 2007, as ARC 5801B. A public hearing was held on April 19, 2007, and no comments were received. One written comment was received about the Sedan Bottoms.

This amendment is intended to implement Iowa Code sections 481A.5, 481A.6, 481A.8 and 481A.39.

This amendment shall become effective July 11, 2007.

The following amendment is adopted.

Amend subrule 52.1(2), paragraph "a," as follows:

a. Restrictions. The following areas under the jurisdiction of the department of natural resources are established as game refuges where posted. It shall be unlawful to hunt, pursue, kill, trap, or take any wild animal, bird, or game on these areas at any time, and no one shall carry firearms thereon, except where and when specifically authorized by the department of natural resources. It shall also be unlawful to trespass in any manner on the following areas, where posted, between the dates of September 10 and December 31 of each year, both dates inclusive, except that department personnel and law enforcement officials may enter the area at any time in performance of their duties, and hunters, under the supervision of department staff, may enter when specifically authorized by the department of natural resources.

<u>Area</u>	<u>County</u>
Lake Icaria	Adams
Pool Slough Wildlife Area	Allamakee
Rathbun Area	Appanoose
<u>Sedan Bottoms</u>	<u>Appanoose</u>
Wildlife Exhibit Area	Boone
Sweet Marsh	Bremer
Storm Lake Islands	Buena Vista
Big Marsh.	Butler
South Twin Lake.	Calhoun
Round Lake	Clay
Little River Recreation Area	Decatur
Allen Green Refuge	Des Moines
Henderson	Dickinson
<u>Jemmerson Slough Complex</u>	<u>Dickinson</u>
Kettleson Area	Dickinson
Spring Run	Dickinson

Ingham Lake	Emmet
Forney Lake	Fremont
Riverton Area	Fremont
Dunbar Slough	Greene
Bays Branch	Guthrie
Green Island Area	Jackson
Hawkeye Wildlife Area	Johnson
Muskrat Slough	Jones
Colyn Area	Lucas
Red Rock Area	Marion, Polk, Warren
Badger Lake	Monona
Tieville/Decatur Bend	Monona
Five Island Lake	Palo Alto
Big Creek-Saylorville Complex	Polk
Chichaqua Area	Polk
Cottonwood Area	Polk
I-35 Area	Polk
Smith Area	Pottawattamie
Lake View Area	Sae
McCausland	Scott
Princeton Area	Scott
Prairie Rose Lake	Shelby
Otter Creek Marsh	Tama
Green Valley Lake	Union
Three Mile Lake	Union
Lake Sugema	Van Buren
Rice Lake Area	Winnebago
Snyder Lake	Woodbury
Elk Creek Marsh	Worth
Lake Cornelia	Wright

 Date

 Richard A. Leopold, Director

Ken Herring reviewed the rule and answered individual questions.

Motion was made by Commissioner Rettig to approve Final Rule—Chapter 52, Wildlife Refuges. Seconded by Commissioner Bird. Motion carried unanimously.

FINAL RULE APPROVED

FINAL RULE—CHAPTER 95, GAME HARVEST REPORTING AND LANDOWNER-TENANT REGISTRATION

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to adopt a final rule to amend Chapter 95, “Game Harvest Reporting and Landowner-Tenant Registration.” These amendments clarify the regulations for reporting the harvest of deer and wild turkey and procedures for landowners and tenants to verify their eligibility for free deer and wild turkey hunting licenses. No comments were received on this rule.

NATURAL RESOURCE COMMISSION [571]
Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 95, “Game Harvest Reporting and Landowner-Tenant Registration,” Iowa Administrative Code.

Chapter 95 establishes procedures and requirements for reporting deer and wild turkey harvested and procedures for landowners and tenants to register for free deer and wild turkey licenses. These amendments clarify the regulations for reporting the harvest of deer and wild turkey and procedures for landowners and tenants to verify their eligibility for free deer and wild turkey hunting licenses.

Notice of Intended Action was published in the Iowa Administrative Bulletin on March 28, 2007, as ARC 5799B. A public hearing was held on April 19, 2007, and no comments were received. One comment was received that landowners should not have to register.

These amendments are intended to implement Iowa Code sections 483A.38, 483A.39, 483A.48 and 483A.7.

These amendments shall become effective July 11, 2007.
The following amendments are adopted.

ITEM 1. Amend subrule 95.1(1) as follows:
95.1(1) Reporting deadlines.

a. Deer. A harvest report must be made by midnight on the day after the day of the kill, before the deer is taken to a locker or taxidermist, before the deer is processed for consumption, or before the ~~hunter leaves the state~~ deer is transported out of state, whichever occurs first.

b. Wild turkey. A harvest report must be made no later than midnight on the day after the turkey is killed, before the turkey is taken to a locker or taxidermist, before the turkey is processed for consumption, or before the ~~hunter leaves the state~~ turkey is transported out of state, whichever occurs first.

ITEM 2. Amend rule 571--95.2(481A), introductory paragraph, as follows:
571--95.2(481A) Verifying eligibility for free landowner or tenant licenses. Eligibility for free and reduced-fee deer and wild turkey hunting licenses, which are hereafter referred to as free licenses, is defined in Iowa Code section 483A.24, rule 571--98.5(483A) and rule 571--106.12

(481A). The electronic licensing system for Iowa (ELSI) will not issue free licenses to persons who have not registered their eligibility with ELSI. Registering once will enable a landowner or tenant and any eligible family members to receive all the free licenses for which the landowner or tenant is eligible for three years after the date of registration, provided the landowner's and tenant's eligibility status does not change within the three-year period.

ITEM 3. Amend subrule 95.2(2) as follows:

95.2(2) Who may obtain free licenses. One member of the landowner family (the landowner or an eligible family member) may obtain a free any-deer license. Members of the landowner family may divide the free antlerless-deer-only licenses for which the family is eligible among themselves in any way they choose. If there is a tenant on the same property, one member of the tenant family (the tenant or an eligible family member) may also obtain a free any-deer license. Members of the tenant family may divide the free antlerless-deer-only licenses for which they may be eligible among themselves in any way they choose. ~~The~~ One member of the landowner family and one member of the tenant family may each obtain one free spring turkey hunting license and one free fall turkey hunting license.

ITEM 4. Amend subrule 95.2(4) as follows:

95.2(4) Information verifying eligibility. In order to register, a landowner, tenant or qualifying family member must have a customer record in ELSI, i.e., have already purchased a license through ELSI. A person without an ELSI customer record must call the ELSI telephone ordering system to establish a customer record before registering. When registering, landowners, tenants and family members will be required to provide their ELSI customer number or their Iowa driver's license number or social security number and their date of birth to identify their ELSI customer record.

a. Landowners. A landowner shall provide the ~~taxpayer identification number (ID) or~~ parcel identification number (PIN) from the landowner's current property tax statement for one parcel of qualifying land owned by the landowner and the number of the county where the land is located. Qualifying family members shall be registered to the same parcel of qualifying land as the landowner.

b. Partnerships, corporations or other forms of joint land ownership. Each owner of a jointly owned farm unit and the owner's qualifying family members who wish to receive free licenses for that farm unit shall register with the same county number and ~~ID or PIN number~~. Only one joint owner or family member may obtain the one any-deer license available for the farm unit. The other joint owner(s) and family members may divide any other free licenses to which they are entitled among themselves in any way they choose.

c. Tenants. A tenant shall provide an affidavit that contains the name, address, and telephone number of the owner of the qualifying land rented by the tenant; the county number where the land is located; and the landowner's ~~taxpayer ID or~~ PIN from one parcel of that qualifying land. If a tenant rents land from more than one landowner, the tenant shall provide the required information about only one landowner. The tenant's qualifying family members shall be registered to the same parcel of qualifying land as the tenant.

d. Signature required. Pursuant to Iowa Code ~~Supplement~~ section 483A.24(2)"f," all affidavits submitted to register eligibility for free licenses shall bear the signature of the landowner, tenant, or family member attesting that the information contained therein is true.

Date

Richard A. Leopold, Director

Ken Herring reviewed the rule. He noted that one comment was received from the Iowa Farm Bureau as favorable in that it simplified the registration procedure for landowner-tenants.

Motion was made by Commissioner Bird to approve Final Rule—Chapter 95, Game Harvest Reporting and Landowner-Tenant Registration. Seconded by Commissioner Francisco.

Commissioner Rettig asked if the definition of an eligible family member and qualifying family member means the same thing. She also asked whether or not a non married couple that live together on that property where one of them might be the owner is a family member.

Response was that the department goes with the broad definition of a family member as provided in the Code. Herring said that in a general sense a family member is a husband, a wife and their immediate children who reside at home and are of age 18 or under. He asked Rettig to write down her request and he will get a definition from law enforcement or the legal section.

Rettig said there will be a law change in Iowa when the Governor signs the bill where the definition just given would be illegal under the Code because it would be discrimination based on sexual orientation.

Motion carried unanimously be those present.

FINAL RULE APPROVED

FINAL RULE—CHAPTER 98, WILD TURKEY SPRING HUNTING

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to adopt a final rule to amend Chapter 98, “Wild Turkey Spring Hunting.” The amendments clarify that the state forests are no longer special zones for resident and nonresident spring turkey hunting. The amendment allows nonresidents to hunt in all four seasons and adjusts the nonresident license quotas to divide the licenses between all four seasons. Nonresidents had not been allowed to hunt during the second season when the number of licenses for residents was limited. The total number of nonresident turkey licenses issued does not change. One comment was received that supported opening second season to nonresidents and two were received that opposed the change.

NATURAL RESOURCE COMMISSION [571]
Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 98, "Wild Turkey Spring Hunting," Iowa Administrative Code.

Chapter 98 establishes the regulations for hunting wild turkeys during the spring and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements. The amendments clarify that the state forests are no longer special zones for resident and nonresident spring turkey hunting. The amendments allow nonresidents to hunt in all four seasons and adjust the nonresident license quotas to divide the licenses between all four seasons. Nonresidents had not been allowed to hunt during the second season when the number of licenses for residents was limited. The total number of nonresident turkey licenses issued does not change.

Notice of Intended Action was published in the Iowa Administrative Bulletin on March 28, 2007, as ARC 5798B. A public hearing was held on April 19, 2007, and three comments were received. One comment was received that supported opening second season to nonresidents and two were received that opposed the change. One comment was received in writing opposing opening the second season to nonresidents.

These amendments are intended to implement Iowa Code sections 483A.38, 483A.39, 483A.48 and 483A.7.

These amendments shall become effective July 11, 2007.

The following amendments are adopted.

ITEM 1. Amend subrule 98.2(3) as follows:

98.2(3) Zones. A person with a resident wild turkey spring hunting license may take wild turkey statewide. ~~in designated areas in accordance with the type of license issued. A person with an archery only license may take wild turkey statewide. A person with a paid combination shotgun or archery license may take wild turkey in one of four zones described as follows:~~

~~a. Zone 1. Zone 1 is all units of Stephens State Forest west of U.S. Highway 65 in Clarke and Lucas Counties only.~~

~~b. Zone 2. Zone 2 is Shimek State Forest in Lee and Van Buren Counties only.~~

~~c. Zone 3. Zone 3 is Yellow River State Forest in Allamakee County only.~~

~~d. Zone 4. Zone 4 is all of Iowa except for those areas described by Zones 1, 2 and 3.~~

ITEM 2. Amend subrule 98.9(2) as follows:

98.9(2) Seasons. Bearded (or male) wild turkey may be taken only by the use of shotguns, muzzleloading shotguns, and bow and arrow during the first, second, third or fourth seasons as defined in 98.2(4)"a." ~~No nonresident hunting licenses will be issued for the second season.~~

ITEM 3. Amend rule 571--98.10(483A) as follows:

571--98.10(483A) Zones open to hunting. Licenses shall be valid only in designated areas as follows:

1. ~~Zone 1. Zone 1 is all units of Stephens State Forest in Clarke and Lucas Counties west of U.S. Highway 65.~~

2. ~~Zone 2. Zone 2 is the Shimek State Forest in Lee and Van Buren Counties only.~~

3. ~~Zone 3. Zone 3 is the Yellow River State Forest in Allamakee County only.~~

4. Zone 4. Zone 4 is that portion of Iowa bounded on the north by Interstate Highway 80 and on the west by U.S. Highway 59, ~~with the exception of the areas described as Zone 1 and Zone 2.~~

5 2. Zone 5. Zone 5 is that portion of Iowa bounded on the north by U.S. Highway 20 and on the east by U.S. Highway 59.

6 3. Zone 6. Zone 6 is that portion of Iowa lying east of U.S. Highway 63 and north of Interstate Highway 80, ~~with the exception of that area described as Zone 3.~~

7 4. Zone 7. Zone 7 is that portion of Iowa bounded on the north by U.S. Highway 20, on the west by U.S. Highway 59, on the south by Interstate Highway 80, and on the east by U.S. Highway 63.

8 5. Zone 8. Zone 8 is that portion of Iowa north of U.S. Highway 20 and west of U.S. Highway 63.

ITEM 4. Amend subrule 98.11(1) as follows:

98.11(1) Combination shotgun-or-archery licenses.

a. ~~Zone 1. Closed.~~

b. ~~Zone 2. Closed.~~

c. ~~Zone 3. Closed.~~

d. Zone 4. ~~350~~ 262.

e ~~b~~. Zone 5. ~~75~~ 55.

f ~~c~~. Zone 6. ~~220~~ 165.

g ~~d~~. Zone 7. ~~46~~ 35.

h ~~e~~. Zone 8. ~~25~~ 20.

Date

Richard A. Leopold, Director

Ken Herring reviewed the rule and answered individual questions.

Motion was made by Commissioner Francisco to approve Final Rule—Chapter 98, Wild Turkey Spring Hunting. Seconded by Commissioner Drees. Motion carried unanimously by those present.

FINAL RULE APPROVED

FINAL RULE—CHAPTER 99, WILD TURKEY FALL HUNTING BY RESIDENTS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to adopt a final rule to amend Chapter 99, “Wild Turkey Fall Hunting by Residents.” These amendments eliminate the state forest zones during the fall season which makes the regulations for the fall season consistent with the spring season. The amendments also add 200 licenses to Zone 5 in western Iowa. No comments were received on the proposed changes.

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 99, "Wild Turkey Fall Hunting by Residents," Iowa Administrative Code.

Chapter 99 establishes the regulations for hunting wild turkeys during the fall and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements. These amendments eliminate the state forest zones during the fall season which makes the regulations for the fall season consistent with the spring season. The amendments also add 200 licenses to Zone 5 in western Iowa.

Notice of Intended Action was published in the Iowa Administrative Bulletin on March 28, 2007, as ARC 5797B. A public hearing was held on April 19, 2007, and no comments were received. No comments were received by phone or in writing.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48 and 483A.7.

These amendments shall become effective July 11, 2007.

The following amendments are adopted.

ITEM 1. Amend rule 571--99.4(481A) as follows:

571--99.4(481A) Zones. Wild turkey may be taken with a combination shotgun-or-archery license only in the following zones:

~~99.4(1) Zone 1. Zone 1 is that portion of Stephens State Forest west of U.S. Highway 65 in Lucas and Clarke Counties.~~

~~99.4(2) Zone 2. Zone 2 is the Shimek State Forest in Lee and Van Buren Counties.~~

~~99.4(3) Zone 3. Zone 3 is that portion of the Yellow River State Forest in Allamakee County.~~

99.4(4) (1) Zone 4. Zone 4 is that portion of Iowa bounded on the north by Interstate Highway 80 and on the west by U.S. Highway 59.

99.4(5) (2) Zone 5. Zone 5 is that portion of Iowa bounded on the east by U.S. Highway 59 and on the north by U.S. Highway 20.

99.4(6) (3) Zone 6. Zone 6 is that portion of Iowa bounded on the south by Interstate Highway 80 and on the west by U.S. Highway 63.

99.4(7) (4) Zone 7. Zone 7 is that portion of Iowa bounded on the north by U.S. Highway 20, on the west by U.S. Highway 59, on the south by Interstate Highway 80 and on the east by U.S. Highway 63.

99.4(8) (5) Zone 8. Zone 8 is that portion of Iowa bounded on the south by U.S. Highway 20, on the east by U.S. Highway 63, and on the west by U.S. Highway 69.

99.4(9) (6) Zone 9. Zone 9 is that portion of Iowa bounded on the south by U.S. Highway 20 and on the east by U.S. Highway 69.

ITEM 2. Amend subrule 99.5(1) as follows:

99.5(1) Combination shotgun-or-archery licenses. A limited number of paid combination shotgun-or-archery licenses will be issued by zone as follows:

a. ~~Zone 1. 50~~

b. ~~Zone 2. 50~~

e. ~~Zone 3. 50~~

d a. Zone 4. 4,500

e b. Zone 5. ~~500~~ 700

f c. Zone 6. 3,000

g d. Zone 7. 400

h e. Zone 8. 150

i f. Zone 9. 200

Date

Richard A. Leopold, Director

Motion was made by Commissioner Rettig to approve Final Rule—Chapter 99, Wild Turkey Fall Hunting. Seconded by Commissioner Francisco. Motion carried unanimously by those present.

FINAL RULE APPROVED

FINAL RULE—CHAPTER 107, RABBIT AND SQUIRREL HUNTING

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to adopt a final rule to amend Chapter 107, “Rabbit and Squirrel Hunting.” These amendments change the beginning date for the cottontail rabbit and squirrel hunting seasons to the Saturday before Labor Day. One comment was received in support of the proposed changes.

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 107, “Rabbit and Squirrel Hunting”, Iowa Administrative Code.

Chapter 107 establishes the regulations for hunting rabbits and squirrels and include season dates, bag limits, possession limits and shooting hours. These amendments change the beginning date for cottontail rabbit and squirrel hunting seasons to the Saturday before Labor Day.

Notice of Intended Action was published in the Iowa Administrative Bulletin on March 28, 2007, as ARC 5796B. A public hearing was held on April 19, 2007, and one comment was received in support of the changes. One comment was received by phone requesting that rabbit hunting hours be extended to one-half hour before sunrise to one-half hour after sunset.

These amendments are intended to implement Iowa Code sections 481A.5, 481A.6, 481A.8 and 481A.39.

These amendments shall become effective July 11, 2007.

The following amendments are adopted.

ITEM 1. Amend rule 571--107.1(481A) as follows:

571--107.1(481A) Cottontail rabbit season. Open season for hunting cottontail rabbits shall be from the ~~first day of September~~ Saturday before Labor Day through February 28 of the succeeding year. Bag limit shall be 10 per day; possession limit 20. Legal hunting hours shall be from sunrise to sunset. Entire state open.

ITEM 2. Amend rule 571--107.3(481A) as follows:

571--107.3(481A) Squirrel season. Open season for hunting squirrels (fox and gray) shall be from the ~~first day of September~~ Saturday before Labor Day through January 31 of the succeeding year. Bag limit shall be 6 squirrels per day; possession limit 12. Entire state open.

Date

Richard A. Leopold, Director

Motion was made by Commissioner Drees to approve Final Rule—Chapter 107, Rabbit and Squirrel Hunting. Seconded by Commissioner Francisco. Motion carried unanimously by those present.

FINAL RULE APPROVED

NOTICE OF INTENDED ACTION—CHAPTER 82, COMMERCIAL FISHING

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Approval is requested to file a Notice of Intended Action to amend Chapter 82, Commercial Fishing Rule. The proposed amendments are directed at conserving the shovelnose sturgeon and reducing conflicts with sport anglers. Over exploitation of traditional sources of the world supply of caviar has driven up the recent demand for shovelnose sturgeon roe or eggs. Price per pound of raw shovelnose sturgeon roe has steadily increased from \$40/lb in 2004 to \$48/lb in 2006. The reported harvest in 2006 was 3,105 pounds valued at \$150,000.

The size limit and season regulations implemented last year for shovelnose sturgeon are intended to sustain the fishery. The proposed amendments clarify language on possession and season. Proposed rule language pertaining to attendance of entanglement gear and restricted areas below the Locks and Dams is intended to minimize conflicts seen last year between commercial and sport anglers. By Code of Iowa no commercial gear may be fished within 900 feet of the Locks

and Dams. These amendments would restrict the use of entanglement gear including gill nets and trammel nets another 0.2 to 3 miles below the 11 Locks and Dams.

NATURAL RESOURCE COMMISSION [571]
Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 82 "Commercial Fishing," Iowa Administrative Code.

The proposed amendments provide for four changes in commercial fishing regulations on the Mississippi River: (1) no sturgeon less than 27 inches may be possessed in Iowa waters; (2) no sturgeon may be harvested from gear set prior to midnight on October 15; (3) establish closed areas to entanglement gear below locks and dams; and (4) establish restrictions for entanglement gear.

Any interested person may make written suggestions or comments on the proposed amendments on or before June 29, 2007. Such written materials should be directed to Marion Conover, Department of Natural Resources, Wallace State Office Building, 502 East 9th Street, Des Moines, Iowa, 50319-0034; fax (515) 281-6794. Persons who wish to convey their views orally should contact the Fisheries Bureau at (515) 281-5208 or at the Bureau offices on the fourth floor of the Wallace State Office Building.

Also, there will be three public hearings as follows:

June 26, 2007	7:00 p.m.	Municipal Building 502 South First Street Guttenberg, IA
June 27, 2007	7:00 p.m.	Clinton County Administration Building Cafeteria 1900 North Third Street Clinton, IA
June 28, 2007	7:00 p.m.	Musser Public Library 304 Iowa Avenue Muscataine, IA

At the public hearings persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any person who intends to attend a public hearing and has special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, and 482.1.

The following amendments are proposed:

ITEM 1. Amend subrule 82.2(2) as follows:

82.2(2) *Size limits.* Fish less than a minimum length or longer than the maximum length shall be returned to the water unharmed. The minimum total length for all catfish is 15 inches. The

minimum fork length for shovelnose sturgeon, measured from the tip of the snout to the fork of the tail, is 27 inches. No shovelnose sturgeon longer than 34 inches fork length may be harvested from waters of the Mississippi River bordering Wisconsin. No shovelnose sturgeon less than 27 inches may be possessed in Iowa waters.

ITEM 2. Amend subrule 82.2(5), paragraph c. as follows:

c. Gill nets and trammel nets shall be attended at least once every 24 hours during open water conditions, and at least once every 96 hours during ice cover conditions. Dead set trammel nets with an inner bar mesh less than 3 ½ inches must be constantly attended. Any gill or trammel net hobbled to less than 80 percent its total height must be constantly attended. Constant attendance is defined as being within 200 yards of nets. No more than four nets totaling 600 feet in length may be constantly attended at one time by a licensee and their operators.

ITEM 3. Amend subrule 82.2(8) as follows:

82.2(8) *Seasons*. There is continuous open season for commercial fishing of all species listed in 82.2(1) except there is a closed season for shovelnose sturgeon from May 16 through October 14. No shovelnose sturgeon may be harvested from gear set prior to midnight on October 15.

ITEM 4. Amend subrule 82.2(9) as follows:

82.2(9) *Special shovelnose and bowfin regulations*. A Shovelnose sturgeon and bowfin must remain intact until the fish reaches the final processing facility or business. For the purposes of this subrule, final processing facility does not include vessels or vehicles.

ITEM 5. Amend rule 571-82.2(482) by adopting the following new subrule:

82.2(10) *Closed areas*. The use of entanglement gear, including gill and trammel nets, is prohibited from the following areas of the Mississippi River.

- a. From Lock and Dam Number 9 downstream to the entrance to McDonald Slough near river mile 646.5.
- b. From Lock and Dam Number 10 downstream to the entrance of Ackermans Cut near river mile 613.8.
- c. From Lock and Dam Number 11 downstream to the railroad bridge near river mile 579.9.
- d. From Lock and Dam Number 12 downstream to the mouth of Mill Creek near river mile 556.
- e. From Lock and Dam Number 13 downstream to the downstream end of Stamp Island near river miles 521.5.
- f. From Lock and Dam Number 14 downstream to the boat ramp near river mile 492.9.
- g. From Lock and Dam Number 15 downstream to the Centennial Bridge near river mile 482.1.

- h. From Lock and Dam Number 16 downstream to the downstream end of Hog Island near river mile 456.7.
- i. From Lock and Dam Number 17 downstream to the downstream end of Ottertail Island near river mile 436.6.
- j. From Lock and Dam Number 18 downstream to the downstream end of Mercer Island near river mile 409.5.
- k. From Lock and Dam Number 19 downstream to the Keokuk Highway Bridge near river mile 363.8.

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 482.1, 482.3, 482.5, and 482.14.

Date

Richard A. Leopold, Director

Marion Conover, Fisheries Bureau Chief, reviewed the rule in detail. He talked about the over exploitation of sturgeon and the cooperative work with neighboring states.

Motion was made by Commissioner Francisco to approve Notice of Intended Action—Chapter 82, Commercial Fishing. Seconded by Commissioner Bird. Motion carried unanimously by those present.

NOTICE APPROVED

Marion Conover recognized and thanked Bruce Kluver of the Save Crystal Lake Committee for all the work at raising money toward improving Crystal Lake. He thanked all the Crystal Lake people for their hard work.

ECHO VALLEY FOREST STEWARDSHIP PLAN

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Gary Beyer, DNR Forestry, and Rod Marlatt, Fayette County Conservation Board, prepared a management plan for 113 acres of Echo Valley, owned by the DNR and managed by Fayette County Conservation Board. It is located in Union Township in Fayette County. The attached management plan is being presented for review and discussion to the Natural Resource Commission.

The primary objectives for the area are recreation and wildlife. It contains a portion of an important trout stream, which needs protection. Other goals include maintaining large trees, including the white pine, and promoting oak forest where feasible. This plan strives to develop a forest ecosystem that has a diversity of tree sizes and species which will benefit the widest variety of wildlife species.

This plan will be the basis for future management activities on the property which include protecting viewsheds, improving the oak resource, removing invasive and undesirable species, and increasing the diversity of wildlife habitat. Some harvesting for improvement, regeneration, and removal of mature trees is explained in the plan. Any commercial harvest will be brought before the Commission as either an information or decision item.

Note: The Stewardship Plan for Echo Valley is on file in the Department's Record's Center.

Ken Herring noted that the Stewardship Plan will be coming back to the Commission with some harvest requests in the future. He introduced Rod Marlette, Fayette County Conservation Board who presented some background information regarding Echo Valley. He said it is a CCC structured park with forest resource but it is not actively managed. He said the Plan does include a harvest and allows the CCB to retain the funds from those harvests. Those funds go into the Land Acquisition Trust Fund to use for timber stand improvement. He noted that a public meeting will be held in West Union to explain the Plan to the local folks.

Gary Beyer reviewed the Echo Valley Forest Stewardship Plan. He related that when they go to an area, they walk each area in partnership with the area biologists and discuss all the options. He said it is clear to the public that they consider all interests that fit into the overall plan.

INFORMATION ITEM

GENERAL DISCUSSION

Ken Herring presented a brief update on Honey Creek. He said staff is in the process of re-strategizing and continuing to work on Honey Creek issues. He said the current plan is to have the project out for bids on May 21, with the bid opening 30 days later. Additionally, the TSP Team has been meeting and developing some minor modifications. Herring noted that last month we were contemplating a very significant reduction in the water park, but in reviewing the bonding document found that it is not an option. Other places are being looked at to modify the project. He commended Engineering and Kelley Myers for all the work they have been doing in refining project.

Commissioner Garst commented that the last minutes indicated that a survey indicated that Iowans do have access to hunt turkey and deer by using friends and family. She said it appears that hunters were asked about their access but others who were not hunting were not asked. She said those who quit hunting should be interviewed because they probably did not have access.

Ken Herring responded that three groups of stakeholders are involved in hunting and fishing access issues, deer and turkey hunters, another of all hunters and anglers, and lastly landowners.

He said staff will be surveying all three groups of stakeholders to help understand the issue of gaining access to Iowa's lands.

Commissioner Garst reported that there is an Association of Fish and Wildlife Agencies which includes a conference session for commissioners. This year the meeting is in Louisville, Kentucky from September 17-21. Commissioners were asked to contact staff if they are interested in attending. Because of budgets there may be a limit of how many can attend.

Commissioner Bird expressed appreciation for the budget information provided and how items were formatted. He commended staff on their professionalism with the tour and in answering all the questions.

Linda Hanson reported that regarding the questions on the item about the right of first refusal, that clause expires at the sellers' demise.

Hanson also reported that with regard to the question regarding taxes, it is correct that taxes are never fixed and are at times adjusted.

NEXT MEETING DATES

The next meeting will be held on June 14 in the Cedar Rapids area.

ADJOURNMENT

<i>The May 10, 2007 Natural Resource Commission Meeting adjourned at 12:25 p.m.</i>

Richard A. Leopold, Director

Elizabeth Garst, Chairperson

Carol Kramer, Secretary

Index

2

28E Agreement

Hamilton County Conservation Board
and Webster City, 20

Wright County Conservation Board, 21

A

Adjournment, 47

Appointment – Bruce Kluver, 17

Approve Agenda, 1

Approve Minutes, 2

B

Bellevue Research Station, Jackson Co.
Construction Project, 5

Bobwhite State Park, Wayne Co.
Construction Project, 6

Boone County, McCoy WMA Land
Acquisition, 17

Bright's Lake WMA, Worth Co. Land
Acquisition, 13

Budget Overview and Fiscal Year 2009
Preparation, 19

Butler County, Heery Woods Land
Donation, 13

C

Call to Order, 1

Cerro Gordo County, Clear Lake
Construction Project, 10

Christopherson Slough, Dickinson Co. Land
Acquisition, 12

Clear Lake State Park, Cerro Gordo Co.
Construction Project, 10

Commercial Fishing, Ch. 82--Notice, 42

Concession Contract

Lake Manawa State Park, 25

Conservation and Recreation Donations, 26

Construction Projects, 4

Bellevue Research Station, Jackson
County – Storage Building, 5

Bobwhite State Park, Wayne County –
HMA Paving, 6

Clear Lake State Park, Cerro Gordo
County – Remodel Park Residence
Exterior, 10

Folsom Lake WMA Access, Mills
County – Roadway and Parking
Construction, 6

Green Valley State Park, Union County
– HMA Paving, 6

Gull Point Lake Patrol Station,
Dickinson County – Boat Ramp and
Parking Lot Paving, 7

Lake Macbride State Park, Johnson Co.
Construction Project, 5

Riverton WMA, Fremont County –
Pump Replacement, 7

Viking Lake State Park, Montgomery
County – Replace Concession Building,
8

D

Dallas County, Hanging Rock WMA Land
Acquisition, 16

Dallas County, Perry North Raccoon River
Access Management Agreement, 18

Dewey's Pasture, Palo Alto Co. Land
Acquisition, 12

Dickinson County, Christopherson Slough
Land Acquisition, 12

Dickinson County, Gull Point Construction
Project, 7

Dickinson County, West Okoboji Land
Acquisition, 10

Director's Remarks, 2

Donations

Conservation and Recreation, 26

E

Echo Valley Forest Stewardship Plan, 45

Election of Officers, 1

F

Final Rule

Chapter 107, Rabbit and Squirrel Hunting, 41

Chapter 51, Game Management Areas, 30

Chapter 52, Wildlife Refuges, 32

Chapter 95, Game harvest Reporting and Landowner-Tenant Registration, 35

Chapter 98, Wild Turkey Spring Hunting, 37

Chapter 99, Wild Turkey Fall Hunting by Residents, 39

Folsom Lake WMA, Mills Co. Construction Project, 6

Fremont County, Riverton Construction Project, 7

G

Game Harvest Reporting and Landowner-Tenant Registration, Ch. 95--Final, 35

Game Management Areas, Ch. 51--Final, 30

General Discussion, 46

Green Valley State Park, Union Co. Construction Project, 6

Gull Point Lake Patrol Station, Dickinson Co. Construction Project, 7

H

Hamilton CCB & Webster City 28E Agreement, 20

Heery Woods State Park, Butler Co. Land Donation, 13

Help Us Stop Hunger (HUSH) Contract with Food Bank of Iowa, 28

Horseshoe Bend, Louisa Co. Land Acquisition, 15

HUSH 2006-2007 Deer Donation Report, 29

J

Jackson County, Bellevue Research Station Construction Project, 5

Johnson County, Lake Macbride Constuction Project, 5

Jones County, Muskrat Slough Land Acquisition, 14

L

Lake Manawa State Park Concession Contract, 25

Land & Water Conservation Fund – City and County Grants, 22

Land Acquisition

Muskrat Slough Wildlife Management Area, Jones County -- Matthew McQuillen, 14

Land Acquisition

Bright's Lake WMA, Worth County – Seymour and Darlene Ferley, 13

Christopherson Slough, Dickinson County -- Bryan Heebner, 12

Dewey's Pasture WMA, Palo Alto County -- Marlys Jensen, 12

Hanging Rock Wildlife Management Area, Dallas County --INHF (Humiston), 16

Heery Woods State Park, Butler County -- Kurth, et.al Donation, 13

Horseshoe Bend National Wildlife Refuge, Louisa County -- INHF (EMC), 15

McCoy Wildlife Management Area, Boone County – Don Adams, Nancy Ross, and the Estate of Harold Adams, 17

West Okoboji Lake Watershed, Dickinson County -- Richard J. Berglund Trust, 10

Louisa County, Horseshoe Bend Land Acquisition, 15

M

Management Agreement

Perry North Raccoon River Access, Dallas County, 18

McCoy WMA, Boone Co. Land Acquisition, 17

Members Absent, 1

Members Present, 1
Mills County, Folsom Lake Construction
Project, 6
Montgomery Co., Viking Lake Construction
Project, 8
Muskrat Slough, Jones Co. Land
Acquisition, 14

N

Next Meeting Dates, 47
Notice of Intended Action
Chapter 82, Commercial Fishing, 42

O

Oath of Office For New Commissioners, 1

P

Palo Alto County, Dewey's Pasture Land
Acquisition, 12
Perry North Raccoon River Access, Dallas
Co. Management Agreement, 18
Public Participation, 18

R

Rabbit and Squirrel Hunting, Ch. 107--Final,
41
Riverton WMA, Fremont Co. Construction
Project, 7

U

Union County, Green Valley Construction
Project, 6

V

Viking Lake, Montgomery Co. Construction
Project, 8

W

Water Recreation Access Cost-Share Grants
for FY08, 23
Wayne County, Bobwhite State Park
Construciton Project, 6

West Okoboji Lake Watershed, Dickinson
Co. Land Acquisition, 10
Wild Turkey Fall Hunting by Residents, Ch.
99--Final, 39
Wild Turkey Spring Hunting, Ch. 98--Final,
37
Wildlife Refuges, Ch. 52--Final, 32
Worth County, Bright's Lake Land
Acquisition, 13
Wright CCB 28E Agreement, 21